

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

CAUCUS AGENDA #5

February 18, 2020

Bill Number	Short Title	Committee	Date	Action
Committee on Commerce				
Chairman:	Jeff Weninger, LD 17		Vice Chairman:	Travis W. Grantham, LD 12
Analyst:	Paul Benny		Intern:	Michael Laird
<u>HB 2152</u> ^(BSI)	appropriation; STEM; learning; workforce development			
SPONSOR:	UDALL, LD 25	HOUSE		
		COM	2/4/2020	DPA (9-0-0-0)
		APPROP	2/12/2020	DPA (10-0-0-1)
		(Abs: FILLMORE)		
<u>HB 2380</u> ^(BSI)	product liability; civil action; limitation.			
SPONSOR:	BLACKMAN, LD 6	HOUSE		
		COM	2/11/2020	DP (5-4-0-0)
		(No: EPSTEIN, BUTLER, CHÁVEZ, MEZA)		
<u>HB 2453</u> ^(BSI)	DHS; exemption; certain foods; wineries			
SPONSOR:	GRIFFIN, LD 14	HOUSE		
		COM	2/11/2020	DPA (8-0-0-1)
		(Abs: ROBERTS)		
<u>HB 2498</u> ^(BSI)	unmanned aircraft study committee			
SPONSOR:	WENINGER, LD 17	HOUSE		
		COM	2/11/2020	DP (8-0-0-1)
		(Abs: ROBERTS)		
<u>HB 2499</u> ^(BSI)	eminent domain; existing contracts			
SPONSOR:	WENINGER, LD 17	HOUSE		
		COM	2/4/2020	DP (6-2-1-0)
		(No: EPSTEIN, BUTLER Present: BIASIUCCI)		
<u>HB 2628</u> ^(BSI)	health care insurance; amendments			
SPONSOR:	BOLICK, LD 20	HOUSE		
		COM	2/11/2020	DPA (7-1-1-0)
		(No: BUTLER Present: EPSTEIN)		
<u>HB 2644</u> ^(BSI)	liability insurance restatement; prohibition			
SPONSOR:	WENINGER, LD 17	HOUSE		
		COM	1/28/2020	DP (6-2-0-1)
		(No: EPSTEIN, BUTLER Abs: MEZA)		

[HB 2669](#)_(BSI) online dating fraud; member notice
 SPONSOR: COBB, LD 5 HOUSE
 COM 2/11/2020 DPA (9-0-0-0)

[HB 2739](#)_(BSI) liquor omnibus
 SPONSOR: WENINGER, LD 17 HOUSE
 COM 2/11/2020 DPA (7-1-0-1)
 (No: EPSTEIN Abs: ROBERTS)

Committee on Education

Chairman: Michelle Udall, LD 25

Vice Chairman: John Fillmore, LD 16

Analyst: Chase Houser

Intern: Trisha Romero

[HB 2019](#)_(BSI) CTEDs; nonprofits; postsecondary institutions; agreements
 SPONSOR: FILLMORE, LD 16 HOUSE
 ED 2/10/2020 DP (10-0-0-3)
 (Abs: BOLDING, COBB, BLANC)

[HB 2089](#)_(BSI) schools; safety; threat assessment teams
 SPONSOR: KAVANAGH, LD 23 HOUSE
 ED 2/3/2020 DPA (8-5-0-0)
 (No: BOLDING, BLANC, PETEN, PAWLIK, LIEBERMAN)
 PS 2/12/2020 DPA (4-1-2-0)
 (No: ANDRADE Present: HERNANDEZ D, LONGDON)

[HB 2105](#)_(BSI) schools; child care; reduced fees
 SPONSOR: UDALL, LD 25 HOUSE
 ED 2/10/2020 DP (10-0-0-3)
 (Abs: BOLDING, COBB, BLANC)

[HB 2106](#)_(BSI) schools; audits; financial records; budgets
 SPONSOR: UDALL, LD 25 HOUSE
 ED 2/10/2020 DP (11-0-0-2)
 (Abs: BOLDING, BLANC)

[HB 2296](#)_(BSI) Arizona health education centers; increase
 SPONSOR: SHOPE, LD 8 HOUSE
 ED 2/10/2020 DP (9-0-0-4)
 (Abs: BOLDING, COBB, BLANC, CARROLL)

[HB 2360](#)_(BSI) vocational and technical education; evaluations
 SPONSOR: TOMA, LD 22 HOUSE
 ED 2/10/2020 DP (10-0-0-3)
 (Abs: BOLDING, SHOPE, BLANC)

[HB 2381](#)_(BSI) CTEDs; letter grades; exclusion
 SPONSOR: BLACKMAN, LD 6 HOUSE
 ED 2/10/2020 DP (11-0-0-2)
 (Abs: COBB, BLANC)

[HB 2443](#)_(BSI) career, technical education; projects fund
 SPONSOR: KERN, LD 20 HOUSE
 ED 2/10/2020 DP (11-0-0-2)
 (Abs: BOLDING, SHOPE)

[HB 2484](#)_(BSI) department of education; career information
 SPONSOR: CARROLL, LD 22 HOUSE
 ED 2/10/2020 DP (9-1-0-3)
 (No: PAWLIK Abs: BOLDING, COBB, BLANC)

[HB 2639](#)_(BSI) public service scholarship fund
 SPONSOR: BLACKMAN, LD 6 HOUSE
 ED 2/10/2020 DP (10-1-1-1)
 (No: CARROLL Abs: BOLDING Present: BLANC)
 APPROP 2/12/2020 DP (10-0-0-1)
 (Abs: FILLMORE)

[HB 2678](#)_(BSI) CTEDs; district governing boards; elections
 SPONSOR: UDALL, LD 25 HOUSE
 ED 2/10/2020 DP (10-0-0-3)
 (Abs: BOLDING, COBB, BLANC)

[HCR 2001](#)_(BSI) English language education; requirements
 SPONSOR: FILLMORE, LD 16 HOUSE
 ED 1/27/2020 DP (10-1-0-2)
 (No: BARTO Abs: TOWNSEND, CARROLL)

Committee on Elections

Chairman: Kelly Townsend, LD 16 **Vice Chairman:** Frank P. Carroll, LD 22
Analyst: Stephanie Jensen **Intern:** Jeremy Bassham

[HB 2028](#)_(BSI) candidate signs; prohibition; primary
 SPONSOR: FILLMORE, LD 16 HOUSE
 ELECT 2/11/2020 DPA (8-1-1-0)
 (No: JERMAINE Present: RODRIGUEZ)

[HB 2267](#)_(BSI) technical correction; ballot; presidential candidates
 (ELECT S/E: presidential electors; ballots)
 SPONSOR: TOWNSEND, LD 16 HOUSE
 ELECT 2/11/2020 DPA/SE (10-0-0-0)

[HB 2268](#)_(BSI) election complaints; attorney general
 SPONSOR: TOWNSEND, LD 16 HOUSE
 ELECT 2/11/2020 DPA (6-4-0-0)
 (No: SALMAN, JERMAINE, RODRIGUEZ, TERÁN)

Committee on Government

Chairman: John Kavanagh, LD 23 **Vice Chairman:** Kevin Payne, LD 21
Analyst: Stephanie Jensen **Intern:** Jeremy Bassham

[HB 2157](#)_(BSI) PSPRS; benefit computation; return-to-work
 SPONSOR: BLACKMAN, LD 6 HOUSE
 GOV 1/30/2020 DPA (11-0-0-0)

[HB 2242](#)_(BSI) treasurer; investment of trust funds
 SPONSOR: KAVANAGH, LD 23 HOUSE
 GOV 1/23/2020 DP (10-0-0-1)
 (Abs: PETERSEN)

<u>HB 2261</u> _(BSI)	budget units; encumbrance documents; exception				
SPONSOR:	KAVANAGH, LD 23	HOUSE			
	GOV		2/6/2020	DP	(11-0-0-0)
<u>HB 2386</u> _(BSI)	county free library districts; programs				
SPONSOR:	UDALL, LD 25	HOUSE			
	GOV		2/6/2020	DP	(11-0-0-0)
<u>HB 2631</u> _(BSI)	PSPRS; local boards; duties; consolidation				
SPONSOR:	BLACKMAN, LD 6	HOUSE			
	GOV		1/30/2020	DP	(10-0-0-1)
	(Abs: PETERSEN)				
<u>HB 2653</u> _(BSI)	county stadium districts; annual budget				
SPONSOR:	THORPE, LD 6	HOUSE			
	GOV		2/6/2020	DP	(11-0-0-0)

Committee on Health & Human Services

Chairman: Nancy K. Barto, LD 15

Vice Chairman: Jay Lawrence, LD 23

Analyst: Ingrid Garvey

Intern: Megan Larsen

<u>HB 2254</u> _(BSI)	Lyme; vector-borne diseases; treatment.				
SPONSOR:	BLACKMAN, LD 6	HOUSE			
	HHS		2/6/2020	DP	(5-4-0-0)
	(No: POWERS HANNLEY, BUTLER, HERNANDEZ A, SHAH)				
<u>HB 2269</u> _(BSI)	donated medicine; requirements				
SPONSOR:	BARTO, LD 15	HOUSE			
	HHS		1/30/2020	DPA	(9-0-0-0)
	RA		2/10/2020	DPA	(6-0-0-1)
	(Abs: TOMA)				
<u>HB 2301</u> _(BSI)	adoption; health information; update				
SPONSOR:	KAVANAGH, LD 23	HOUSE			
	HHS		2/6/2020	DP	(9-0-0-0)
<u>HB 2314</u> _(BSI)	technical correction; health professionals (HHS S/E: naturopathic physicians; services)				
SPONSOR:	BARTO, LD 15	HOUSE			
	HHS		2/6/2020	DPA/SE	(9-0-0-0)
<u>HB 2529</u> _(BSI)	nonretaliation policies; health care institutions				
SPONSOR:	SHAH, LD 24	HOUSE			
	HHS		2/6/2020	DP	(9-0-0-0)
	COM		2/11/2020	DP	(6-1-1-1)
	(No: KERN Abs: ROBERTS Present: EPSTEIN)				
<u>HB 2608</u> _(BSI)	overdose; disease prevention; programs				
SPONSOR:	RIVERO, LD 21	HOUSE			
	HHS		2/6/2020	DP	(8-0-1-0)
	(Present: GRIFFIN)				
<u>HB 2670</u> _(BSI)	douglas; voluntary certification				
SPONSOR:	TOWNSEND, LD 16	HOUSE			
	HHS		2/6/2020	DPA	(9-0-0-0)

[HB 2695](#)_(BSI) TANF; financial literacy education
 SPONSOR: NUTT, LD 14 HOUSE
 HHS 2/6/2020 DP (9-0-0-0)

Committee on Judiciary

Chairman: John M. Allen, LD 15

Analyst: Lauren Cook

Vice Chairman: Walter J. Blackman, LD 6

Intern: Samantha Fagerburg

[HB 2062](#)_(BSI) animal fighting paraphernalia; offense
 SPONSOR: KAVANAGH, LD 23 HOUSE
 JUD 1/22/2020 DP (10-0-0-0)
 LAG 2/6/2020 DPA (7-0-0-0)

[HB 2236](#)_(BSI) deferred prosecution program; definition
 SPONSOR: ALLEN J, LD 15 HOUSE
 JUD 2/12/2020 DP (10-0-0-0)

[HB 2257](#)_(BSI) arrest procedures; magistrates
 SPONSOR: ROBERTS, LD 11 HOUSE
 JUD 2/12/2020 DP (9-0-0-1)
 (Abs: FINCHEM)

[HB 2399](#)_(BSI) unmanned aircraft operation; public venues
 SPONSOR: WENINGER, LD 17 HOUSE
 JUD 2/12/2020 DP (10-0-0-0)

[HB 2412](#)_(BSI) conviction set-aside; traffic violations
 SPONSOR: ALLEN J, LD 15 HOUSE
 JUD 2/5/2020 DP (9-0-0-1)
 (Abs: NUTT)

[HB 2414](#)_(BSI) appropriations; alternative prosecution; diversion programs
 SPONSOR: ALLEN J, LD 15 HOUSE
 JUD 2/5/2020 DPA (10-0-0-0)
 APPROP 2/12/2020 DPA (11-0-0-0)

[HB 2624](#)_(BSI) human trafficking; civil action; liability
 SPONSOR: BOLICK, LD 20 HOUSE
 JUD 2/12/2020 DP (10-0-0-0)

[HB 2652](#)_(BSI) unauthorized racing meetings; penalties; racketeering
 SPONSOR: KAVANAGH, LD 23 HOUSE
 JUD 2/12/2020 DP (10-0-0-0)

Committee on Land & Agriculture

Chairman: Timothy M. Dunn, LD 13

Analyst: Paul Bergelin

Vice Chairman: Travis W. Grantham, LD 12

Intern: Mackenzie Nintzel

[HB 2088](#)_(BSI) appropriation; state lake improvement fund
 SPONSOR: BIASIUCCI, LD 5 HOUSE
 LAG 1/23/2020 DP (7-0-0-0)
 APPROP 2/12/2020 DPA/SE (10-0-0-1)
 (Abs: FILLMORE)

[HB 2292](#)^(BSI) citrus research council; fee increase
 SPONSOR: DUNN, LD 13 HOUSE
 LAG 1/23/2020 DP (7-0-0-0)

[HB 2592](#)^(BSI) state lands; leases; renewal applications
 SPONSOR: GRIFFIN, LD 14 HOUSE
 LAG 2/6/2020 DPA (7-0-0-0)

[HB 2673](#)^(BSI) livestock loss board; avoidance measures
 SPONSOR: GRIFFIN, LD 14 HOUSE
 LAG 2/6/2020 DP (7-0-0-0)

Committee on Military & Veterans Affairs

Chairman: Jay Lawrence, LD 23 **Vice Chairman:** Joanne H. Osborne, LD 13
Analyst: Jason Theodorou **Intern:** Valeria Garcia

[HB 2139](#)^(BSI) appropriation; veterans' services; benefits counselors
 SPONSOR: LAWRENCE, LD 23 HOUSE
 MVA 1/27/2020 DP (7-0-0-0)
 APPROP 2/12/2020 DPA (10-0-0-1)
 (Abs: FILLMORE)

[HB 2690](#)^(BSI) state agencies; veterans status; inquiry
 SPONSOR: ANDRADE, LD 29 HOUSE
 MVA 2/10/2020 DPA (6-0-1-0)
 (Present: GRIFFIN)

Committee on Natural Resources, Energy & Water

Chairman: Gail Griffin, LD 14 **Vice Chairman:** Timothy M. Dunn, LD 13
Analyst: Paul Bergelin **Intern:** Mackenzie Nintzel

[HB 2098](#)^(BSI) dam safety study committee
 SPONSOR: GRIFFIN, LD 14 HOUSE
 NREW 2/11/2020 DPA (12-0-0-1)
 (Abs: FINCHEM)

[HB 2217](#)^(BSI) outdoor recreation coordinating commission; continuation
 SPONSOR: GRIFFIN, LD 14 HOUSE
 NREW 2/11/2020 DP (12-0-0-1)
 (Abs: FINCHEM)

[HB 2286](#)^(BSI) appropriation; wastewater treatment infrastructure
 SPONSOR: OSBORNE, LD 13 HOUSE
 NREW 2/11/2020 DP (11-1-1-0)
 (No: ENGEL Present: GABALDÓN)
 APPROP 2/12/2020 DP (8-3-0-0)
 (No: FRIESE, LIEBERMAN, KAVANAGH)

[HB 2620](#)^(BSI) ombudsman; assistance; surface water adjudications
 (NREW S/E: law clinic; stream adjudications; appropriation)
 SPONSOR: BOWERS, LD 25 HOUSE
 NREW 2/11/2020 DPA/SE (13-0-0-0)

[HB 2640](#)^(BSI) environmental technology; biomass; forestry products
 SPONSOR: NUTT, LD 14 HOUSE
 NREW 2/11/2020 DP (13-0-0-0)

[HB 2672](#)^(BSI) water rights
 SPONSOR: GRIFFIN, LD 14 HOUSE
 NREW 2/4/2020 DPA (7-5-0-1)
 (No: GABALDÓN, ENGEL, CANO, TSOSIE, LONGDON Abs: SHOPE)

[HB 2674](#)^(BSI) water; substitute acreage
 SPONSOR: GRIFFIN, LD 14 HOUSE
 NREW 2/4/2020 DPA (7-5-0-1)
 (No: GABALDÓN, ENGEL, CANO, TSOSIE, LONGDON Abs: SHOPE)

[HB 2675](#)^(BSI) water conservation notice; no abandonment
 SPONSOR: GRIFFIN, LD 14 HOUSE
 NREW 2/4/2020 DPA (8-5-0-0)
 (No: GABALDÓN, ENGEL, CANO, TSOSIE, LONGDON)

[HB 2677](#)^(BSI) groundwater replenishment reserves
 SPONSOR: GRIFFIN, LD 14 HOUSE
 NREW 2/4/2020 DPA (13-0-0-0)

[HB 2747](#)^(BSI) aquifer protection permits; injection wells.
 SPONSOR: GRIFFIN, LD 14 HOUSE
 NREW 2/11/2020 DPA (12-0-0-1)
 (Abs: SHOPE)

[HB 2749](#)^(BSI) endangered species conservation; confidential information
 SPONSOR: GRIFFIN, LD 14 HOUSE
 NREW 2/11/2020 DPA (6-5-0-2)
 (No: GABALDÓN, ENGEL, CANO, TSOSIE, LONGDON Abs: FINCHEM,
 SHOPE)

Committee on Public Safety

Chairman: Kevin Payne, LD 21
Analyst: Eryn Streeter

Vice Chairman: Anthony T. Kern, LD 20
Intern: Bryce Moore

[HB 2140](#)^(BSI) prisoner injuries; monetary judgments; reimbursement
 SPONSOR: KERN, LD 20 HOUSE
 PS 2/5/2020 DP (4-3-0-0)
 (No: ANDRADE, HERNANDEZ D, LONGDON)

[HB 2280](#)^(BSI) fire protection systems; inspections
 SPONSOR: CAMPBELL, LD 1 HOUSE
 PS 2/5/2020 DP (7-0-0-0)

[HB 2415](#)^(BSI) appropriation; southern border region enforcement
 SPONSOR: DUNN, LD 13 HOUSE
 PS 2/5/2020 DP (5-1-0-1)
 (No: ANDRADE Abs: CAMPBELL)
 APPROP 2/12/2020 DP (9-2-0-0)
 (No: FERNANDEZ, FRIESE)

[HB 2422](#)^(BSI) coordinated reentry planning services programs
 SPONSOR: BARTO, LD 15 HOUSE
 PS 2/5/2020 DPA (6-0-0-1)
 (Abs: CAMPBELL)
 APPROP 2/12/2020 DPA (11-0-0-0)

[HB 2444](#)^(BSI) security guards; training instructors; qualifications
 SPONSOR: KERN, LD 20 HOUSE
 PS 1/29/2020 DP (7-0-0-0)
 JUD 2/12/2020 DP (10-0-0-0)

[HB 2469](#)^(BSI) law enforcement officers; additional benefits.
 SPONSOR: PAYNE, LD 21 HOUSE
 PS 2/12/2020 DPA (7-0-0-0)

Committee on Regulatory Affairs

Chairman: Travis W. Grantham, LD 12 **Vice Chairman:** Bret Roberts, LD 11
Analyst: Jon Rudolph **Intern:** Loren Breen

[HB 2601](#)^(BSI) residential utility consumer office; continuation
 SPONSOR: ROBERTS, LD 11 HOUSE
 RA 2/10/2020 DP (7-0-0-0)

[HB 2643](#)^(BSI) insurance; optometrists; contracts; covered services
 SPONSOR: WENINGER, LD 17 HOUSE
 RA 2/10/2020 DP (7-0-0-0)
 COM 2/11/2020 DPA (9-0-0-0)

[HB 2685](#)^(BSI) government assistance; point of contact
 SPONSOR: TOMA, LD 22 HOUSE
 RA 2/10/2020 DP (7-0-0-0)

Committee on Technology

Chairman: Bob Thorpe, LD 6 **Vice Chairman:** Jeff Weninger, LD 17
Analyst: Paul Benny **Intern:** Michael Laird

[HB 2262](#)^(BSI) appropriations; broadband grants
 SPONSOR: ESPINOZA, LD 19 HOUSE
 TECH 2/5/2020 DPA (5-0-0-2)
 (Abs: WENINGER, BIASIUCCI)
 APPROP 2/12/2020 DP (9-0-0-2)
 (Abs: ROBERTS, FILLMORE)

Committee on Transportation

Chairman: Noel W. Campbell, LD 1 **Vice Chairman:** Leo Biasiucci, LD 5
Analyst: Jason Theodorou **Intern:** Valeria Garcia

[HB 2034](#)^(BSI) school bus drivers; license requirements
 SPONSOR: FILLMORE, LD 16 HOUSE
 TRANS 2/12/2020 DP (9-0-0-0)

[HB 2056](#)^(BSI) appropriation; Tonto Basin bridge
 SPONSOR: COOK, LD 8 HOUSE
 TRANS 1/22/2020 DPA (8-0-0-1)
 (Abs: GABALDÓN)

	APPROP	2/5/2020	DP	(10-0-0-1)
	(Abs: ROBERTS)			
<u>HB 2198</u> _(BSI)	appropriation; Ganado School Loop Road			
SPONSOR:	TELLER, LD 7	HOUSE		
	TRANS	2/5/2020	DP	(8-0-0-1)
	(Abs: COOK)			
	APPROP	2/12/2020	DP	(11-0-0-0)
<u>HB 2266</u> _(BSI)	appropriations; extended bus routes			
SPONSOR:	TOWNSEND, LD 16	HOUSE		
	TRANS	2/5/2020	DP	(9-0-0-0)
	APPROP	2/12/2020	DP	(11-0-0-0)
<u>HB 2282</u> _(BSI)	motor carrier safety violations; penalties			
SPONSOR:	CAMPBELL, LD 1	HOUSE		
	TRANS	2/5/2020	DP	(6-3-0-0)
	(No: ANDRADE, GABALDÓN, TERÁN)			
<u>HB 2442</u> _(BSI)	highway safety fee repeal			
SPONSOR:	BIASIUCCI, LD 5	HOUSE		
	TRANS	2/5/2020	DP	(5-4-0-0)
	(No: ANDRADE, GABALDÓN, TELLER, TERÁN)			
	APPROP	2/12/2020	DP	(6-4-0-1)
	(No: ESPINOZA, FERNANDEZ, FRIESE, LIEBERMAN Abs: FILLMORE)			
<u>HB 2473</u> _(BSI)	criminal speeding			
SPONSOR:	PAYNE, LD 21	HOUSE		
	TRANS	2/12/2020	DPA	(5-4-0-0)
	(No: ANDRADE, GABALDÓN, TELLER, TERÁN)			
<u>HB 2485</u> _(BSI)	parked vehicles blocking sidewalk; prohibition			
SPONSOR:	CARROLL, LD 22	HOUSE		
	TRANS	2/5/2020	DPA	(9-0-0-0)
<u>HB 2630</u> _(BSI)	motorcycle safety fund			
SPONSOR:	BOLICK, LD 20	HOUSE		
	TRANS	2/12/2020	DP	(9-0-0-0)
<u>HB 2687</u> _(BSI)	traffic safety rules; educational information			
SPONSOR:	SHOPE, LD 8	HOUSE		
	TRANS	2/12/2020	DPA	(8-0-0-1)
	(Abs: PAYNE)			
<u>HB 2712</u> _(BSI)	disadvantaged business enterprises; audits			
SPONSOR:	THORPE, LD 6	HOUSE		
	TRANS	2/12/2020	DP	(5-4-0-0)
	(No: ANDRADE, GABALDÓN, TELLER, TERÁN)			
<u>HB 2714</u> _(BSI)	license plate designs			
SPONSOR:	BIASIUCCI, LD 5	HOUSE		
	TRANS	2/12/2020	DP	(9-0-0-0)

Committee on Ways & Means

Chairman: Ben Toma, LD 22

Vice Chairman: Shawwna LM Bolick, LD 20

Analyst: Vince Perez

Intern:

Blake Gephart

[HB 2353](#)^(BSI) bonds; counsel; financial advisor; fees
SPONSOR: TOMA, LD 22 HOUSE
WM 2/12/2020 DPA (10-0-0-0)

[HB 2404](#)^(BSI) TPT; prime contracting; exemptions; certificates
SPONSOR: COBB, LD 5 HOUSE
WM 2/12/2020 DP (6-4-0-0)
(No: POWERS HANNLEY, EPSTEIN, CANO, SIERRA)

[HB 2493](#)^(BSI) community facilities districts
SPONSOR: TOMA, LD 22 HOUSE
WM 2/12/2020 DP (10-0-0-0)

[HB 2495](#)^(BSI) state judgments; liens; homestead; enforcement
SPONSOR: TOMA, LD 22 HOUSE
WM 2/12/2020 DP (9-0-0-1)
(Abs: EPSTEIN)

[HB 2496](#)^(BSI) agricultural property classification; guest ranches
SPONSOR: DUNN, LD 13 HOUSE
WM 2/12/2020 DPA (9-1-0-0)
(No: POWERS HANNLEY)

[HB 2778](#)^(BSI) taxation; omnibus
SPONSOR: TOMA, LD 22 HOUSE
WM 2/12/2020 DP (6-4-0-0)
(No: POWERS HANNLEY, EPSTEIN, CANO, SIERRA)

[HB 2779](#)^(BSI) state equalization assistance; rate; appropriation
SPONSOR: PETERSEN, LD 12 HOUSE
WM 2/12/2020 DP (6-4-0-0)
(No: POWERS HANNLEY, EPSTEIN, CANO, SIERRA)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DPA 9-0-0-0 | Approp DPA 10-0-0-1

HB 2152: appropriation; STEM; learning; workforce development

Sponsor: Representative Udall, LD 25

Caucus & COW

Overview

Appropriates the sum of \$3,000,000 from the state General Fund for the fiscal year (FY) 2021 to the Arizona Commerce Authority (ACA) to develop science, technology, engineering and mathematics (STEM) for both learning and workforce opportunities.

History

Laws 2011, 2nd Special Session, Chapter 1, created the ACA and outlined its duties and responsibilities, replacing the former Arizona Department of Commerce. The ACA's mission is to grow and strengthen Arizona's economy and facilitate the creation of quality jobs for its citizens by supporting and attracting businesses in targeted, high-value base sectors throughout the State.

Provisions

1. Appropriates the sum of \$3,000,000 from the state General Fund in FY 2021 to the ACA to cultivate STEM learning and STEM workforce development opportunities throughout the state. (Sec. 1)
2. Directs the ACA to attempt to maximize and connect STEM learning and STEM workforce development opportunities provided by:
 - a. Schools and school districts;
 - b. Out of school programs;
 - c. Museums and science centers that focus on STEM;
 - d. Higher education institutions; and
 - e. Other entities that recognize the need for STEM competencies. (Sec. 1)
3. Exempts the appropriations from lapsing. (Sec. 1)
4. Intends for the appropriations be considered for funding in future years. (Sec. 1)

Amendments

Committee on Commerce

1. Clarifies the ACA to administer a grant program.
2. Adds the intent of the grant program is to build STEM networks and hubs that gives priority to rural and semirural areas.
3. Redefines entities that provide workforce development opportunities.
4. Includes a requirement to use the Rural-Urban Continuum Code Scheme for categorizing rural and semirural areas.
5. Adds a reporting requirement.

Committee on Appropriations

1. Clarifies the ACA to administer a grant program.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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2. Adds the intent of the grant program is to build STEM networks and hubs that gives priority to rural and semirural areas.
3. Redefines entities that provide workforce development opportunities.
4. Includes a requirement to use the Rural-Urban Continuum Code Scheme for categorizing rural and semirural areas.
5. Adds a reporting requirement.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DP 5-4-0-0

HB 2380: product liability; civil action; limitation.

**Sponsor: Representative Blackman, LD 6
Caucus & COW**

Overview

Allows a product liability lawsuit to commence only under defined circumstances.

History

In a product liability action where the manufacturer refuses to accept a tender of defense from the seller, the manufacturer must indemnify the seller for any judgement against the seller. The manufacturer must also reimburse the seller for reasonable attorney fees and costs in defending the action. The manufacturer is not required to indemnify or reimburse the seller if either: 1) the seller had knowledge of the defect in the product; or 2) the seller altered, modified or installed the product and the alteration, modification or installation was: a) a substantial cause of the incident giving rise to the action; b) not authorized or requested by the manufacturer; and c) not performed in compliance with the directions or specifications of the manufacturer ([A.R.S. § 12-684](#)).

A *product liability action* is defined as any action brought against a manufacturer or seller of a product for damages for bodily injury, death or property damage caused by or resulting from the manufacture, construction, design, formula, installation, preparation, assembly, testing, packaging, labeling, sale, use or consumption of any product, the failure to warn or protect against a danger or hazard in the use or misuse of the product or the failure to provide proper instructions for the use or consumption of any product.

A *seller* is a person or entity, including a wholesaler, distributor, retailer or lessor, that is engaged in the business of leasing any product or selling any product for resale, use or consumption ([A.R.S. § 12-681](#)).

Provisions

5. Asserts a product liability action against a seller that is not also a manufacturer of the product may be commenced or maintained only if one or more of the following apply:
- a) The seller had knowledge of the defect in the product;
 - b) The seller altered, modified or installed the product and the alteration, modification or installation was:
 - i. A substantial cause of the incident giving rise to the action;
 - ii. Not authorized or requested by the manufacturer; and
 - iii. Not performed in compliance with the directions or specifications of the manufacturer;
 - c) The seller provided the plans or specifications for the manufacture or preparation of the product, the plans or specifications were a substantial cause of the product's alleged defect and the product was manufactured in compliance with and according to the seller's plans or specifications;
 - d) The seller resold the product after the product's first sale for use or consumption, the product was not in substantially the same condition as it was at the time the product left the manufacturer's possession and the change in the product's condition was a substantial cause of the incident giving rise to the action;
 - e) The seller failed to exercise reasonable care in assembling, maintaining or repairing the product at issue or in conveying to the product user or consumer the manufacturer's labels, warnings or instructions and the failure was a substantial cause of the incident giving rise to the action;
 - f) The seller made an express warranty regarding the product independent of any express warranty made by a manufacturer regarding the product, the product failed to conform to the seller's independent express warranty and the failure of the product to conform to the seller's independent express warranty was a substantial cause of the incident giving rise to the action;

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- g) The manufacturer cannot be identified; or
 - h) The manufacturer has been adjudicated bankrupt and a judgment is not otherwise recoverable from the assets of the manufacturer's bankruptcy estate. (Sec. 1)
-
- 6. Stipulates a manufacturer must indemnify and reimburse a seller that is not also a manufacturer of the product at issue for reasonable attorney fees and costs incurred by the seller for any judgment rendered against the seller in any product liability action, where the manufacturer refuses to accept a tender of defense, unless the action was the result of one of the defined circumstances that allow for the action to be commenced or maintained against the seller. (Sec. 1)
 - 7. Makes technical changes. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DPA 8-0-0-1

HB 2453: DHS; exemption; certain foods; wineries

Sponsor: Representative Griffin, LD 14
Caucus & COW

Overview

Exempts commercially prepackaged food and drinks served at a liquor licensed establishment from certain Department of Health Services (DHS) rules governing quality and health assurance.

History

The director (Director) of DHS is statutorily required, by rule, to prescribe reasonably necessary measures to ensure that all food or drink provided for consumption is free from unwholesome, poisonous or other foreign substances, including filth, insects or disease-causing organisms. Additionally, the rules must prescribe minimum standards for sanitary facilities and conditions that must be maintained in any warehouse, restaurant or other premises.

Statute outlines certain food or drinks that are exempt, which includes food or drinks that are:

- a) Not potentially hazardous and prepared in a kitchen of a private home for occasional sale or distribution for noncommercial purposes;
- b) Offered at a child care facility and limited to commercially prepackaged food that is not potentially hazardous and whole fruits and vegetables that are washed and cut on-site for immediate consumption; and
- c) Offered at locations that sell only commercially prepackaged food or drink that is not potentially hazardous.

[\(A.R.S. § 36-136\)](#)

Provisions

1. Requires the Director to exempt commercially prepackaged food from rules that prescribe measures to ensure all food is free from poisonous substances and disease-causing organisms provided the food is:
 - a) Not potentially hazardous; and
 - b) Served at a location where spirituous liquor, wine or beer is produced. (Sec.1)
2. Asserts commercially prepackaged food that is not potentially hazardous is exempt until DHS adopts exemptions by rule as required by law. (Sec. 1)

Amendments

Committee on Commerce

1. Extends the exemption to spirituous liquor, wine or beer that is produced and served on the premises.
2. Clarifies the rule exemption to include spirituous liquor, wine or beer.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DP 8-0-0-1

HB 2498: unmanned aircraft study committee

Sponsor: Representative Weninger, LD 17

Caucus & COW

Overview

Establishes the five-member Unmanned Aircraft Study Committee (Committee).

History

Current law states it is unlawful for a person to operate a model aircraft or a civil unmanned aircraft if the operation: 1) is prohibited by a federal law or regulation that governs aeronautics, including federal aviation administration regulations; or 2) interferes with a law enforcement, firefighter or emergency services operation. A person guilty for the unlawful operation is subject to a class 1 misdemeanor.

Furthermore, it is unlawful for a person to operate or use an unmanned aircraft or unmanned aircraft system to intentionally photograph or loiter over or near a critical facility in the furtherance of any criminal offense. A person found guilty for the unlawful operation or use is subject to a class 6 felony ([A.R.S. § 13-3729](#)).

Unmanned aircraft is defined as an aircraft, including an aircraft commonly known as a drone, that is operated without the possibility of direct human intervention from within or on the aircraft ([A.R.S. § 13-3729](#)).

Provisions

1. Establishes the Committee which consists of the following five members of the House of Representatives, who are appointed by the Speaker:
 - a) Three members from the political party that is in the majority; and
 - b) Two members from the political party that is in the minority. (Sec. 1)
2. Requires the Speaker of the House of Representatives to designate one of the members as the chairperson of the Committee. (Sec. 1)
3. Instructs the Committee to:
 - a) Meet as often as the chairperson deems necessary;
 - b) Identify and study the beneficial uses of unmanned aircraft;
 - c) Examine the economic opportunities for the use of unmanned aircraft;
 - d) Review actions taken by the federal government regarding the regulation of the general operation of unmanned aircraft for commercial use; and
 - e) Submit a report regarding the Committee's findings and recommendations by December 31, 2020 to the Speaker of the House of Representatives and to provide a copy of the report to the Secretary of State. (Sec. 1)
4. Terminates the Committee October 1, 2021. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DP 6-2-1-0

HB 2499: eminent domain; existing contracts

Sponsor: Representative Weninger, LD 17

Caucus & COW

Overview

Asserts a municipality assumes the assets and liabilities associated with eminent domain.

History

The state Constitution requires *just compensation* be given to the owner in the event private property is taken or damaged for public or private use ([Az Constitution Article 2, Section 17](#)).

Statute proclaims eminent domain may be exercised only if the use of eminent domain is authorized by this state, whether by statute or otherwise, and for a public use as defined by law ([A.R.S. § 12-1131](#)).

Current law allows a municipality to exercise the right of eminent domain either within or without its corporate limits for specified purposes. Additionally, the municipality may establish and operate a plant, electric line or pipeline on any land or right-of-way taken under eminent domain ([A.R.S. § 9-511](#)).

Provisions

1. Stipulates a municipality assumes all existing assets and contractual liabilities associated with the transfer if the municipality exercises the right of eminent domain. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DPA 7-1-1-0

HB 2628: health care insurance; amendments

Sponsor: Representative Bolick, LD 20

Caucus & COW

Overview

Makes various changes to statute governing Health Care Insurers.

History

Hospital, medical, dental and optometric service corporations is defined as corporations organized under the laws of this state for the purpose of establishing, maintaining and operating nonprofit hospital service or medical or dental or optometric service plans, or a combination of such plans, whereby hospital, medical or dental or optometric service may be provided by hospitals, physicians, podiatrists, dentists or optometrists with which the corporations have contracted for such purpose ([A.R.S. § 20-822](#)).

Health care services organization means any person that undertakes to conduct one or more health care plans. Unless the context otherwise requires, health care services organization includes a provider sponsored health care services organization ([A.R.S. § 20-1051](#)).

Utilization review means a system for reviewing the appropriate and efficient allocation of inpatient hospital resources, inpatient medical services and outpatient surgery services that are being given or are proposed to be given to a patient, and of any medical, surgical and health care services or claims for services that may be covered by a health care insurer depending on determinable contingencies, including without limitation outpatient services, in-office consultations with medical specialists, specialized diagnostic testing, mental health services, emergency care and inpatient and outpatient hospital services ([A.R.S. § 20-2501](#)).

Provisions

Hospital, Medical, Dental, and Optometric Service Organizations

1. Specifies laws governing insurance company holding systems applies to all service corporations. (Sec. 5)
2. Allows a corporation to pay any officer or employee any salary, compensation or emolument without authorization from the board of directors of the corporation. (Sec. 6)
3. Removes language prohibiting a corporation from influencing the subscriber in their choice of hospital, physician, registered nurse, dentist or optometrist. (Sec. 7)
4. Removes language requiring a hospital and medical service corporation to pay AHCCCS for paid covered items or services. (Sec. 8)

Health Care Services Organizations

5. Removes language relating to prohibited practices by a person. (Sec. 9)
6. Removes language requiring a health care services organization to pay AHCCCS for paid covered items or services. (Sec. 10)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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7. Requires a health care services organization to semiannually, rather than monthly, submit a report to the Department of Insurance (DOI) a list of all major provider contracts that have been terminated during the previous six months.

- a) Defines *major provider*. (Sec. 11)

Disability and Group and Blanket Disability Insurers

8. Removes language requiring an insurer to pay AHCCCS for paid covered items or services. (Sec. 12, 13)

Group Health Plan

9. Removes language requiring a health care services organization to pay AHCCCS for paid covered items or services. (Sec. 14)

Accountable Health Plans

10. Makes a conforming change. (Sec. 15)
11. Modifies the definition of *creditable coverage*. (Sec. 15)
12. Specifies statute governing premium rates does not apply to small employer who obtains a health benefits plan that is complies with federal law. (Sec. 16)
13. Repeals laws relating basic health benefit plans and submission of claims by electronic means. (Sec. 17)

Utilization Review

14. Exempts a person from specified laws relating to certification requirements provided certain criteria are met. (Sec. 18)
15. Allows a provider or enrollee to appeal a denial of a formulary exception for a plan covered by federal law through the process prescribed in the federal rule. (Sec. 19)
16. Requires a utilization review agent to file a specified notice regardless if the agent is exempt from certification requirements. (Sec. 20)
17. Requires a health care insurer to provide access to a copy of the information packet, which explains the appeal process, on the health care insurer's website rather than to the member. (Sec. 21)
18. Clarifies a utilization review agent must telephonically provide and mail the member a notice of an adverse decision as well as provide the member a notice of a decision, including criteria used and clinical reasons for such decision. (Sec. 22)
19. Requires the DOI to adopt rules establishing criteria and factors to evaluate when determining whether an independent review organization has demonstrated bias toward a health care insurer or provider.
 - a) Instructs DOI to terminate the services of any biased organization. (Sec. 23)

Miscellaneous

20. Repeals laws relating to contracts and forms in effect prior to January 1, 1955. (Sec. 1)
21. Specifies the term *person* includes a service corporation and a health care services organization. (Sec. 2)
22. Clarifies the timely payment of a clean claim. (Sec. 3)
23. Specifies statute relating to assignment of benefits applies to a hospital and medical service corporation. (Sec. 4)
24. Instructs DOI to:
 - a) Adopt rules that substantially conform to the current version of the National Association of Insurance Commissioners Unfair Claim Settlement Practices Model Act; and

b) Amend the rules governing coordination of benefits. (Sec. 24)

25. Exempts DOI from rulemaking for one year. (Sec. 24)

Amendments

Committee on Commerce

1. Removes the following sections from the bill:

- a) Section 3, relating to timely payment of claims;
- b) Sections 8, 10, 12, 13, and 14, relating to payments to AHCCCS;
- c) Section 21, relating to providing an information packet to a member;
- d) Section 23, relating to requirements for independent review organizations; and
- e) Section 24, relating to rulemaking requirements.

2. Repeals laws relating to permissible contacts of a service corporation and prohibited acts of a person.

3. Requires health care services organization to submit a quarterly report and removes the reference to *major*.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DP 6-2-0-1

HB 2644: liability insurance restatement; prohibition

Sponsor: Representative Weninger, LD 17

Caucus & COW

Overview

Asserts a liability insurance restatement is not the law or public policy.

History

Liability insurance is defined as a contract by which one party promises on consideration to compensate or reimburse another if he shall suffer loss from specified cause or to guaranty or indemnify or secure him against loss from that cause. (Black's Law Dictionary, Sixth Edition)

Provisions

8. Stipulates a statement of the law in the American Law Institute's Restatement of the Law, Liability Insurance is not the law or public policy of the state if the statement is inconsistent, in conflict with or not addressed by:
 - a) Either the Arizona or Federal Constitution;
 - b) A statute of Arizona;
 - c) Case law adopted by either the Supreme Court and Appellate courts of Arizona; or
 - d) Common law adopted by Arizona. (Sec. 1)
9. Asserts the American Law Institute's Restatement of the Law, Liability Insurance is not a source of Arizona law and is not recognized as an authoritative reference of this state's liability insurance law. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DPA 9-0-0-0

HB 2669: online dating fraud; member notice

Sponsor: Representative Cobb, LD 5
Caucus & COW

Overview

Establishes fraud ban disclosure requirements for an online dating service provider.

History

Contracts for a dating referral service must be in writing and include any requirement or prohibition as prescribed by law. A dating service enterprise is prohibited from: 1) using coercive sales tactics; 2) misrepresenting the quality, benefits or nature of services; 3) misrepresenting the qualifications or number of other customers participating in the services provided by the enterprise; and 4) misrepresenting the success the enterprise has had in making matches or referrals that are favorable to the enterprise's customers ([A.R.S. § 44-7154](#)).

Dating referral services is defined as services that are primarily intended to introduce or match adults for social or romantic activities, including activities that are commonly referred to as computer dating or video dating services. Dating referral services does not include arrangements in which one party is compensated for engaging in the social activity.

Dating services enterprise or *enterprise* is defined as any person or business entity that offers dating referral services to the public for compensation. ([A.R.S. § 44-7151](#))

Provisions

1. Requires an online dating service provider to give notice to members who have previously received or responded to an on-site message from another member who is subject to a fraud ban.
 - a) Outlines the contents of the notice. (Sec. 3)
2. Requires the notification to be:
 - a) Clear and conspicuous;
 - b) Sent through email, text message or other appropriate means of communication consented to by the member; and
 - c) Send within 24-hours after the fraud ban is initiated against the banned member, except that notification may be sent within three days after the fraud ban is initiated if, the judgment of the online dating service provider, circumstances require additional time. (Sec. 3)
3. Specifies that an online dating service provider is not liable to any person other than a state agency, for the following:
 - a) For the means of communication used to notify a member;
 - b) When the notification is sent; or
 - c) For disclosing specified information. (Sec. 3)

4. Specifies the law does not create a private right of action or diminish or adversely affect the protections in accordance with Federal law. (Sec. 3)
5. Defines *banned member*, *fraud ban*, *member*, *member in this state* and *online dating service provider*. (Sec. 2)
6. Makes a conforming change. (Sec. 1)

Amendments

Committee on Commerce

1. Makes a clarifying change.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DPA 7-1-0-1

HB 2739: liquor omnibus

Sponsor: Representative Weninger, LD 17
Caucus & COW

Overview

Makes various changes to statute relating to alcoholic beverages.

History

The Department of Liquor Licenses and Control (Department), which consists of the State Liquor Board and the Office of the Director (Director) of the Department regulates the manufacture, distribution and sale of liquor in this state through the issuance of 21 license types or series. A separate license is required for each specific type of business and is issued only after a satisfactory showing of the capability, qualifications and reliability of the applicant. With the exception of wholesaler, producer, government or club licensees, issuance also requires a satisfactory showing that the public convenience and best interest of the community will be substantially served by the issuance of the license ([A.R.S. § 4-203](#)).

Statute outlines conditions for issuing a microbrewery license located on the same land as a farm winery which includes that the licenses must be held by different persons and that the microbrewery and the farm winery be located in separate buildings ([A.R.S. § 4-205.09](#)).

Current statute exempts beer that is produced for personal or family use that is not for sale from laws governing alcoholic beverages ([A.R.S. § 4-226](#)).

An employee of a retail licensee is prohibited during their working hours to give, purchase, accept or consume liquor, except under conditions outlined in statute ([A.R.S. § 4-244](#)).

Provisions

1. Requires the Director to relieve a licensee from a prior license reversion, unless a reverted license has been reissued, if a request is filed no later than two years after the reversion date. (Sec. 1)
2. Allows the Director to issue a microbrewery license and a farm winery license, both located on the same land, to the same bona fide educational institution for the purposes of post-secondary educational instruction. (Sec. 2)
3. Increases the cap that a licensed craft distiller may produce in a year for sale and delivery to an on-sale and off-sale retailer from 1,189 gallons to 3,566 gallons. (Sec. 3)
4. Prohibits a joint premises licensee from allowing a person under the legal drinking age who is not accompanied by a spouse, parent, grandparent or legal guardian of legal drinking age, rather than any adult, to remain in the area of the joint premises. (Sec. 4)
5. Specifies a licensee is not responsible to protect the safety of an individual entering or remaining on the premises to disrupt or damage the premises or to cause harm to another person. (Sec. 5)
6. Exempts alcoholic beverages that are commercially produced by a duly licensed producer from laws and rules relating to the Department of Health Services and Pure Food Control.
 - a) Defines *alcoholic beverage* and *commercially produced*. (Sec. 6)

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7. Exempts wine that is produced for personal or family use that is not for sale from laws governing alcoholic beverages. (Sec. 7)
8. Increases the amount of beer that may be provided as samples to retail consumers at an on-sale premises from 12 ounces to 16 ounces. (Sec. 8)
9. Allows a retailer to order, purchase or receive a spirituous liquor from a licensed craft distiller that produces not more than 3,566 gallons. (Sec. 9)
10. Allows a representative of a producer or wholesaler that is participating at a special event to consume small amounts of the products on the premises of the event for quality control purposes. (Sec. 10)
11. Stipulates a licensee is not in violation of law if:
 - a) A customer removes or tampers with the locking device on a bottle delivered for bottle service and pours their own drink without the knowledge of the retailer; and
 - b) The licensee installs a functioning locking device or removes the bottle and lock when the licensee becomes aware of the removal or tampering of the locking device. (Sec. 10)
12. Makes technical changes. (Sec. 2, 3, 7, 8, 9, 10)

Amendments

Committee on Commerce

1. Restates the duty of a licensee to protect the safety of certain individuals to the duty to protect the customer does not limit the licensee from using reasonable intervention, restraint or removal of a person to prevent that person from injuring others or damaging or disrupting the premises.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 10-0-0-3

HB 2019: CTEDs; nonprofits; postsecondary institutions; agreements

Sponsor: Representative Fillmore, LD 16

Caucus & Cow

Overview

Allows a career technical education district (CTED) governing board to enter into an agreement for administrative, operational and educational services with a nonprofit organization or a public or private postsecondary institution.

History

A CTED governing board is responsible for the management and control of a CTED, including the content and quality of the courses offered, the quality of teachers who provide instruction, the salaries of teachers who provide instruction and the reimbursement of other entities for the facilities used by the CTED ([A.R.S. § 15-393\(A\)](#)).

Currently, a CTED governing board and a community college district may enter into agreements to provide administrative, operational and educational services and facilities. Additionally, statute stipulates that any agreement between the CTED governing board and another CTED, a school district, a charter school or a community college district must be in the form of an intergovernmental agreement or other written contract ([A.R.S. § 15-393\(K\)\(L\)](#)).

An intergovernmental agreement or other written contract made between a CTED governing board and other entity must specify:

- 1) The financial provisions of the intergovernmental agreement or written contract;
- 2) The accountability provisions;
- 3) The responsibilities of each CTED, school district, charter school and community college district that is a party to the agreement or contract;
- 4) The type of instruction, including individualized education programs;
- 5) The quality of the instruction;
- 6) The transportation services and the manner in which transportation costs will be paid;
- 7) The amount that the CTED will contribute to a course and the amount of support required by the school district or the community college;
- 8) That the services provided by each party must be proportionally calculated in the cost of delivering the service;
- 9) That the payment for services must not exceed the cost of the services provided;
- 10) That the CTED will provide professional development for career and technical teachers at a satellite campus and ongoing evaluation and support of satellite campus programs and courses; and
- 11) A list of other goods and services provided to the member district ([A.R.S. § 15-393\(L\)](#)).

Provisions

1. Allows a CTED governing board to enter into an agreement for administrative, operational and educational services and facilities with a:
 - a) Nonprofit organization that is devoted to vocational training; or
 - b) Public or private postsecondary institution. (Sec. 1)
2. Requires any agreement between a CTED governing board and a nonprofit organization or a public or private postsecondary institution to be in the form of an intergovernmental agreement or other written contract. (Sec. 1)

3. Subjects any agreement between a CTED governing board and a nonprofit organization or a public or private postsecondary institution to meet the same requirements of an intergovernmental agreement or other written contract made between a CTED governing board, a school district, a charter school, a community college district or other CTED. (Sec. 1)
4. Makes technical and conforming changes. (Sec. 1)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DPA 8-5-0-0 | PS DPA 4-1-2-0

HB2089: schools; safety; threat assessment teams

Sponsor: Representative Kavanagh, LD 23

Caucus & COW

Overview

Relating to the establishment of a threat assessment team for each public school.

History

The School Safety Program is a grant program established by statute that allows school districts and charter schools to apply for grant monies to support the costs of placing school resource officers (SROs), juvenile probation officers (JPOs), school counselors and school social workers on school campuses ([A.R.S. § 15-154](#)). School districts and charter schools are eligible to receive funding for up to three fiscal years and may annually submit a modified spending plan if they are approved for a three-year grant. In FY 2020, the Legislature appropriated \$32,000,000 to the Arizona Department of Education (ADE) for the School Safety Program ([Laws 2019, Chapter 263](#)).

The [Arizona Counter Terrorism Information Center](#) (ACTIC) is a joint effort between the Arizona Department of Public Safety (DPS), the Arizona Department of Homeland Security, the Federal Bureau of Investigation and other participating agencies that provides intelligence, investigative and technical support to local, tribal, state and federal law enforcement agencies.

Provisions

1. Mandates each school district governing board to adopt policies to establish threat assessment teams and specifies that these policies must include procedures for:
 - a) Assessing individuals whose behavior may pose a threat to the safety of school staff or students and intervening when necessary; and
 - b) Referring individuals to community services boards or health care providers to be evaluated and treated, when appropriate. (Sec.1)
2. Requires each school district superintendent to establish, for each school, a threat assessment team that includes, subject to staff availability, individuals with expertise in:
 - a) Counseling;
 - b) Instruction;
 - c) School administration; and
 - d) Law enforcement. (Sec. 1)
3. States that threat assessment teams may serve one or more schools. (Sec. 1)
4. Requires each threat assessment team to:

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- a) Provide guidance to students, school faculty and staff regarding recognizing an individual's threatening or aberrant behavior that may threaten the community, the school or self;
 - b) Identify members of the school community to whom threatening behavior must be reported; and
 - c) Implement policies adopted by the school district governing board regarding the assessing and referring of identified individuals. (Sec. 1)
5. Permits a school district superintendent to establish a committee that is charged with overseeing the threat assessment teams operating within the school district and specifies that the committee:
 - a) May be an existing committee; and
 - b) Must include, subject to staff availability, individuals with expertise in human resources, education, school administration, mental health and law enforcement. (Sec. 1)
 6. Stipulates the threat assessment team must immediately report a preliminary determination that an individual poses a threat of violence or physical harm to self or others to the school district superintendent or a designee, who then must notify a student's parent if the individual is a student. (Sec. 1)
 7. Specifies that school district personnel are not precluded from acting immediately to address an imminent threat. (Sec. 1)
 8. States that after a threat assessment team preliminarily determines that an individual poses a threat of violence to self or others or exhibits significantly disruptive behavior or a need for assistance, the law enforcement officer on the threat assessment team may:
 - a) Request any case information relating to an individual; and
 - b) Conduct a check of the individual's criminal history records. (Sec. 1)
 9. Prohibits threat assessment team members from disclosing any case information or information about an individual's criminal history or use any record of an individual beyond the purposes for which the disclosure was made to the threat assessment team. (Sec. 1)
 10. Requires each threat assessment team to collect and report twice each year to the Superintendent of Public Instruction and ACTIC on its activities using a form provided by ACTIC. (Sec. 1)
 11. States that a threat assessment team may not collect and report data that is protected under the Health Insurance Portability and Accountability Act of 1996. (Sec. 1)
 12. Requires DPS to provide a law enforcement agency with access to case information upon request from a law enforcement officer on a threat assessment team. (Sec. 2)

Amendments

Committee on Education

1. Mandates each charter school governing body adopt policies to establish threat assessment teams and specifies that these policies must include procedures for:
 - a) Assessing individuals whose behavior may pose a threat to the safety of school staff or students and intervening when necessary; and
 - b) Referring individuals to community services boards or health care providers to be evaluated and treated, when appropriate.
2. Requires each chief administrative officer of a charter school to establish, for each school, a threat assessment team that includes, subject to staff availability, individuals with expertise in:

- a) Counseling;
 - b) Instruction;
 - c) School administration; and
 - d) Law enforcement.
- 3. States that threat assessment teams may serve one or more charter school.
 - 4. Permits a chief administrative officer of a charter school to establish a committee that is charged with overseeing the threat assessment teams operating within the charter school and specifies that the committee:
 - a) May be an existing committee; and
 - b) Must include, subject to staff availability, individuals with expertise in human resources, education, school administration, mental health and law enforcement.
 - 5. Stipulates the threat assessment team must immediately report a preliminary determination that an individual poses a threat of violence or physical harm to self or others to the chief administrative officer of the charter school or a designee, who then must notify a student's parent if the individual is a student.

Committee on Public Safety

- 1. Eliminates the requirement for a school district governing board to adopt policies for procedures for referring individuals to community services boards or health care providers to be evaluated and treated, when appropriate.
- 2. Requires a school district governing board to adopt policies for the following procedures if a threat assessment team assesses an individual and determines the individual might benefit from mental health services:
 - a) Notifying a child's guardian that the threat assessment team has reason to believe that the child might benefit from potential mental health services;
 - b) Recommending to the child's guardian potential mental health service options;
 - c) If an adult is assessed, recommending potential mental health service options.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 10-0-0-3

HB 2105: schools; child care; reduced fees

Sponsor: Representative Udall, LD 25
Caucus & COW

Overview

States that a public school that provides or contracts for child care services may reduce the fee a public school employee pays for the services if the cost the public school pays for those services is not grossly disproportionate to the total consideration received from the employee.

History

The Arizona Constitution prohibits the state, and state subdivisions, from giving or loaning its credit in the aid of, or make any donation or grant, by subsidy or otherwise, to any individual, association or corporation ([Ariz. Const. art. 9, sec. 7](#)).

Provisions

1. States that a public school that provides or contracts for child care services may reduce the fee a public school employee pays for the services if the cost the public school pays for those services is not grossly disproportionate to the total consideration received from the employee (Sec.1).

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 11-0-0-2

HB2106: schools; audits; financial records; budgets

Sponsor: Representative Udall, LD 25

Caucus & COW

Overview

Adds the State Board of Education (SBE) to the entities the Auditor General must report to when a school district either fails to establish and maintain the Uniform System of Financial Records (USFR) or fails to correct deficiencies in the school district system. Changes the filing requirements of school districts and charter schools regarding adopted budgets and audit reports.

History

Statute requires the Auditor General to determine the accounting systems, accounting methods and procedures that are to be utilized for accounting purposes by all school districts in the state. The Auditor General, in conjunction with the Arizona Department of Education (ADE), is also required to prescribe the USFR, or the accounting and financial reporting manual for all school districts ([A.R.S. § 15-271](#)). As part of its duties, the Auditor General must detail in writing the deficiencies of a school district system in maintaining the USFR; school districts are then given 90 days to correct the deficiencies. A school district's failure to maintain the USFR or correct deficiencies must be reported by the Auditor General to ADE.

Currently, school district governing boards are required to file the district's adopted final budget with the county school superintendent, Superintendent of Public Instruction (SPI) and ADE by July 18. If the district's final adopted budget exceeds the general budget limit or the unrestricted capital budget limit, the governing board is required by law to adjust its budget and expenditures. After adjustment, the governing board is required to file the district's adopted revised budget with the county school superintendent and SPI by December 18. In both cases, the county school superintendent is required to immediately submit the district's budget to the county board of supervisors ([A.R.S. § 15-905](#)).

Provisions

1. Adds SBE to the entities the Auditor General must report to when a school district either fails to establish and maintain the USFR or fails to correct deficiencies in the school district system. (Sec. 1)
2. States that the Auditor General must detail the deficiencies of the school district system in the Auditor General's report to ADE and SBE. (Sec. 1)
3. Eliminates the requirement that a governing board file its adopted final budget and adopted revised budget to the county school superintendent and that the county school superintendent transmit a copy of the budgets to the board of supervisors. (Sec. 2)
4. Requires the school district or charter school to send a paper or electronic copy of any annual or biennial financial statement audit or annual financial and compliance audit of financial transactions and accounts to the county school superintendent and ADE and that ADE make the reports available on its website. (Sec. 3)
5. Requires a school district governing board or charter school governing body to publicly accept all audits and compliance questionnaires by roll call vote. (Sec. 3)
6. Makes technical changes. (Sec. 1, 2, 3)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 9-0-0-4

HB 2296: Arizona health education centers; increase

Sponsor: Representative Shope, LD 8
Caucus & COW

Overview

Adds a sixth health education center that focuses on the Indian health care delivery system to the Arizona Area Health Education System (System).

History

Statute directs the Arizona Board of Regents (ABOR) to establish the System in the College of Medicine at the University of Arizona. The System currently consists of five area health education centers, each of which represents a geographic area with specified populations that the System determines currently lack services by the health care professions. The five areas are Eastern Arizona, Central Arizona, Northern Arizona, Southeast Arizona and Western Arizona ([University of Arizona Area Health Care System](#)).

Statute requires each center to conduct physician and other health professional education programs, programs to recruit and retain minority students in health professions and continuing education programs for health professionals ([A.R.S. § 15-1643](#)).

Provisions

1. Adds a sixth health education center that focuses on the Indian health care delivery system to the System. (Sec. 1)
2. Contains technical changes. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 10-0-0-3

HB 2360: vocational and technical education; evaluations

Sponsor: Representative Toma, LD 22

Caucus & COW

Overview

Requires a community college district governing board to provide for the annual evaluation of vocational and technical education programs.

History

Statute mandates that community college district governing boards provide for the evaluation of vocational and technological education programs, in cooperation with and with assistance from business, industry and labor representatives, every five years. Statute permits a community college district governing board to conduct a self-evaluation ([A.R.S. § 15-1452](#)).

Provisions

1. Requires a community college district governing board to provide for the annual evaluation of vocational and technical education programs (Sec. 1).
2. Contains technical changes (Sec. 1).

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 11-0-0-2

HB 2381: CTEDs; letter grades; exclusion

Sponsor: Representative Blackman, LD 6

Caucus & COW

Overview

Exempts a career technical education district (CTED) from being assigned a letter grade from the Arizona Department of Education (ADE).

History

By November 1 of each year, ADE must compile an annual achievement profile for each public school and local education agency. The annual achievement profile includes, at a minimum, the following academic and educational indicators:

- 1) Multiple measures of academic performance;
- 2) Academic progress on the statewide assessments in English language arts and math;
- 3) Academic progress on English language learner assessments;
- 4) Progress towards college and career readiness for all schools and local education agencies that offer instruction in grades 9-12;
- 5) Academic progress on menu of achievement assessments administered; and
- 6) Multiple measures of educational performance or other relevant indicators of school quality that assess a school's educational impact, such as graduation and attendance rates ([A.R.S. § 15-241](#)).

Provisions

1. Exempts a CTED from being assigned a letter grade from ADE (Sec. 1).
2. Makes conforming changes (Sec. 2).

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 11-0-0-2

HB2443: career, technical education; projects fund

Sponsor: Representative Kern, LD 20

Caucus & COW

Overview

Allows a school district's Career and Technical Education Projects Fund to consist of proceeds from services provided by career and technical education (CTE) programs and specifies how monies may be used.

History

The governing board of a school district may establish a permanent Career and Technical Education and Vocational Education Projects Fund that does not exceed \$100,000. The fund consists of proceeds from the sale of items produced by CTE programs. Currently, fund monies may be utilized in CTE and vocational education programs for:

- 1) The purchase of materials for use in an instructional program that produces a product;
- 2) The purchase of equipment, not to exceed \$5,000 in a fiscal year, for use in an instructional program that produced a product; and
- 3) Expenses directly related to planning and designing of products ([A.R.S. § 15-1231](#)).

Provisions

1. Renames a school district's Career and Technical Education and Vocational Education Projects Fund to the Career and Technical Education Projects Fund. (Sec. 1)
2. Permits a school district's Career and Technical Education Projects Fund to consist of proceeds from services provided by CTE programs. (Sec. 2)
3. Allows Career and Technical Education Projects Fund monies to be used for:
 - a) The purchase of materials for use by CTE students in an instructional program that provides a service that may be sold by the school district;
 - b) Purchase of equipment or services for use by CTE students in an instructional program that provides a service that may be sold by the school district;
 - c) Expenses directly related to planning and designing of CTE services; and
 - d) Expenses related to an approved Arizona Department of Education career and technical student organization, including costs associated with events, conferences or competitions. (Sec. 2)
4. Requires all purchases made from the Career and Technical Education Projects Fund to comply with rules established by the State Board of Education, including procurement practices. (Sec. 2)
5. Stipulates all monies in the Career and Technical Education Projects Fund in excess of \$100,000 at the end of the fiscal year are to revert to the school's maintenance and operation fund. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 9-1-0-3

HB 2484: department of education; career information

Sponsor: Representative Carroll, LD 22
Caucus & Cow

Overview

Requires the Arizona Department of Education (ADE) to annually collect and compile career-related information and transmit the information to public high schools to distribute to students.

History

In 2008, the State Board of Education (SBE) approved Education and Career Action Plans (ECAP) for all students in grades 9-12. Schools are required to develop an ECAP in consultation with the student, the student's parent or guardian and the appropriate school personnel. The school must annually monitor, review and update each ECAP and completion of an ECAP must be verified by appropriate school personnel.

An ECAP must, at a minimum, allow students to enter, track and update academic goals, career goals, postsecondary education goals and extracurricular activity goals ([A.A.C. R7-2-302.05](#)).

Provisions

10. Requires ADE to annually collect and compile the following information:

- a) The most in-demand jobs in Arizona, including the starting salary and required education level for each job;
- b) The average cost to attend each in-state university, community college and vocational program;
- c) The average monthly student loan payment and the average three-year student loan default rate of individuals who attended each in-state university, community college and vocational program;
- d) The average graduation rate for each in-state university, community college and vocational program;
- e) The completion rates for:
 - i. The apprenticeship programs approved by the Department of Economic Security and United States Department of Labor;
 - ii. In-state high school equivalency programs;
 - iii. Career and technical education programs; and
 - iv. United States first-term military enlistments;
- f) The percentage of college graduates, by major, who are working in an occupation that does not require a college degree; and
- g) The average starting salary of individuals who graduated from each in-state university, community college and vocational program.

11. Stipulates that ADE must transmit the specified information to each public high school to distribute to students by October 15 annually.

12. Allows ADE to enter into a memorandum of understanding that provides for data sharing with any state agency for the purposes of collecting the information.

13. Contains a delayed effective date of January 1, 2021.

14. Cites this act as the Students' Right to Know Act.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 10-1-1-1 | APPROP DP 10-0-0-1

HB 2639: public service scholarship fund **Sponsor: Representative Blackman, LD 6** **Caucus & COW**

Overview

Establishes the John McCain Public Service Scholarship Fund (Fund) that is to be administered by the Arizona Board of Regents (ABOR).

History

Federal post-service education awards may be earned by individuals who complete an approved term of national service in federal programs. For example, individuals who complete an approved term of national service in the AmeriCorps may earn the Segal AmeriCorps Education Award. The award is a post-service benefit that may be used to pay expenses at eligible postsecondary institutions or to repay qualified school loans. For FY 2020, the Segal AmeriCorps Education Award for full-time participation in an AmeriCorps program (or 1,700 hours) is [\\$6,195](#).

ABOR is the governing body of Arizona's public university system and provides policy guidance to the three in-state universities: Arizona State University, Northern Arizona University and the University of Arizona. ABOR is required to fix tuitions and fees to be charged and must differentiate the tuitions and fees between in-state universities and between residents, nonresidents and graduate students ([A.R.S. § 15-1626](#)).

John Sidney McCain III represented Arizona's 1st congressional district from 1983 to 1987, after which he was elected United States Senator from Arizona, a position he served in until his death from glioblastoma in 2018.

Provisions

1. Establishes the Fund that is to be administered by ABOR. (Sec. 1)
2. Requires ABOR to:
 - a) Use Fund monies to provide scholarships to students who:
 - i. Complete a term of service in a national service program that is supported by the federal government;
 - ii. Receive a federal post-service education award; and
 - iii. Use the federal post-service education award to attend an eligible in-state educational institution or program;
 - b) Establish a scholarship application process;
 - c) Adopt policies to award a scholarship by March 1 of each fiscal year, with priority given to applicants

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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based on
financial
need; and

- d) Notify the President of the Senate, Speaker of the House of Representatives, the Director of the Joint Legislative Budget Committee and the State Treasurer by March 1 annually of the total amount awarded for the current fiscal year. (Sec. 1)
- 3. Stipulates that each scholarship must be equal to the recipient's federal post-service education award. (Sec. 1)
- 4. Requires a scholarship recipient to:
 - a) Be in good academic standing;
 - b) Use scholarship monies within three years after completing service in a national service program;
 - c) Use scholarship monies only under the terms of the federal post-service education award and at in-state educational institutions or programs; and
 - d) Only spend scholarship monies after all of the recipient's federal post-service education award monies have been spent. (Sec. 1)
- 5. Appropriates \$5,000,000 from the state General Fund in FY 2021 to the Fund. (Sec. 2)
- 6. Exempts the appropriations from lapsing. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 10-0-0-3

HB 2678: CTEDs; district governing boards; elections

Sponsor: Representative Udall, LD 25

Caucus & Cow

Overview

Allows a school district that previously increased its governing board to five members to reduce, in the next school district general election, its governing board to three members.

History

A school district governing board serves as the governing body of a school district and is made up of three elected members. Governing board members are elected in general elections by qualified electors living within the boundaries of the school district. A person who is a registered voter of this state and has been a resident of the school district for at least one year immediately preceding the day of election is eligible for election as a governing board member (A.R.S. §§ [15-401](#), [15-421](#)).

An elector of a school district may submit a petition to the county school superintendent, signed by at least 10% of the school district electors, requesting the county school superintendent call a special election to determine if the governing board should be increased to five members. Upon receipt of the petition, the county school superintendent must call a special election at least 90 days before the general election. Public notices of the special election must be posted in at least three places in the district at least 10 days prior to the election. If a majority of the electors vote to increase the governing board, the school district must elect five governing board members. If the majority of the electors vote against the increase, the question may not be placed on a ballot again for one year after the election ([A.R.S. § 15-425](#)).

A school district that increases its governing board to five members must elect its members as follows: 1) if one of the previous three offices is to be filled, the three candidates having the highest, the second highest and the third highest number of votes must be elected to four-year terms; or 2) if two of the previous three offices are to be filled, the candidates receiving the highest, the second highest and the third highest number of votes must be elected to four-year terms ([A.R.S. § 15-424](#)).

Under current law, a person who is a registered voter and a resident of a single member district is eligible for election as a member of a career and technical education district (CTED) governing board from that single member district ([A.R.S. § 15-393](#)).

Provisions

Reduction of Governing Board to Three Members

1. Allows a qualified elector of a school district to submit to the county school superintendent a petition, signed by at least 10% of the qualified electors of the district, requesting that the question of reducing the number of members of the governing board to three be considered in the next general election. (Sec. 3)
2. Instructs the county school superintendent to submit the question to the qualified electors of the school district at the next general election. (Sec. 3)
3. Allows only a school district that previously increased its governing board to five members to hold an election to reduce its membership to three members. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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4. Mandates public notices of a general election addressing the question to be posted in at least three public places in the school district at least 10 days before the general election. (Sec. 3)
5. Specifies the required language that must be included in the ballot. (Sec. 3)
6. Requires a school district to reduce its governing board to three members if the majority of the electors vote in favor of reduction. (Sec. 3)
7. Stipulates that the question may not be placed on the ballot of an election in the district for at least one year if the majority of electors vote against reduction. (Sec. 3)

Election of Governing Board Members

8. States that a member who is serving on a school district governing board that reduces its governing board to three members will continue to serve as a member until the expiration of their current term of office. (Sec. 2)
9. Outlines the election requirements for a school district reducing its governing board to three members. (Sec. 2)

Miscellaneous

10. Requires a person to be a resident of a single member district for at least one year before being elected as a CTED governing board member from that single member district. (Sec. 1)
11. Makes technical and conforming changes. (Sec. 1, 2)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HCR2001: English language education; requirements

Sponsor: Representative Fillmore, LD 16

Caucus & COW

Overview

Repeals and modifies, upon voter approval, statutes pertaining to English language learner (ELL) instruction in public schools.

History

[Proposition 203](#) was passed by voters in 2000 and established requirements for ELL instruction in public schools. Currently, statute requires all children, including ELL students, to be taught English through English language instruction in English language classrooms. Additionally, statute requires ELL students to be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year ([A.R.S. § 15-752](#)). Statute allows legal guardians to apply for waivers to transfer their child to classes teaching English and other subjects through bilingual education techniques or other generally recognized educational methodologies. However, these waivers are limited to legal guardians who have: 1) children who already know English; 2) children ten years or older; and 3) children with special individual needs ([A.R.S. § 15-753](#)).

In addition to ELL instruction, statute states that the legal guardian of any Arizona public school student has legal standing to sue for enforcement of ELL statutes and that any school board member or other elected official or administrator who willfully and repeatedly refuses to implement and enforce ELL statute may be held personally liable for fees and actual and compensatory damage by a child's legal guardian ([A.R.S. § 15-754](#)). Finally, statute mandates that all public students in grades 2-12 be given a standardized, nationally-normed written test of academic subject matter in English at least once a year ([A.R.S. § 15-755](#)).

Provisions

1. Repeals, upon voter approval, statute that:

- a) Requires all children in Arizona public schools be taught English through English language instruction in English language classrooms;
- b) Allows a child's legal guardian to apply for a waiver to transfer their child to classes teaching English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law;
- c) States that a child's legal guardian has legal standing to sue for enforcement of ELL statutes;
- d) States that any school board member or other elected official or administrator who willfully and repeatedly refuses to implement and enforce ELL statutes may be held personally liable for fees and actual and compensatory damage by a child's legal guardian; and
- e) Mandates that all public students in grades 2-12 be given a standardized, nationally-normed written test of academic subject matter in English at least once a year. (Sec. 1)

2. Mandates, upon voter approval, that each public school ensure that ELL students:

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- a) Receive the highest quality of education;
 - b) Master the English language;
 - c) Access high quality, innovative, research-based language programs. (Sec. 2)
3. Permits, upon voter approval, public schools to establish dual-language immersion programs for both native and nonnative English speakers. (Sec 3)
4. Requires, upon voter approval, public schools to:
- a) Provide students effective and appropriate instructional methods;
 - b) Establish English language acquisition programs; and
 - c) Solicit community and stakeholder input on these methods and programs. (Sec. 3)
5. Requires Legislative Council to prepare proposed legislation conforming Arizona Revised Statutes to the provisions of this bill for consideration in the 55th Legislature, 1st Regular Session. (Sec. 4)
6. Requires the Secretary of State to submit this proposition to the voters at the next general election. (Sec. 4)
7. Makes technical changes. (Sec. 2, 3)
8. Makes a conforming change. (Sec. 3)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ELECT DPA 8-1-1-0

HB 2028: candidate signs; prohibition; primary

Sponsor: Representative Fillmore, LD 16

Caucus & COW

Overview

Modifies the date for which political signs and printed materials are statutorily protected from removal, alteration or defacement from any person, city, town or county.

History

Currently, the penalty for any person to knowingly remove, alter, deface or cover any political sign, political mailers, handouts, flyers or other printed materials of any candidate for public office is a class 2 misdemeanor (4 months, \$750). The period for which these actions are prohibited begins 45 days before the primary election and ends 7 days after the general election. Additionally, a city, town or county may not remove, alter or deface a political sign if it is posted following conditions prescribed in statute beginning 60 days before a primary election and ending 15 days after a primary election ([A.R.S. § 16-1019](#)).

Provisions

1. Adjusts the time frame for the penalty to knowingly remove, alter or deface any political sign or mailer to begin 120 days before the primary election. (Sec. 1)
2. Modifies the date which prohibits cities, towns or counties to remove, alter or deface any political sign to begin 120 days before the primary election. (Sec. 1)
3. Makes technical changes. (Sec. 1)

Amendment

Committee on Elections

1. Changes the time period for the penalty of knowingly removing, altering or defacing any political sign or mailer to 188 days before the general election.
2. Revises the date that prohibits cities, towns or counties from removing, altering or defacing any political sign or mailer to 188 days before the general election.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ELECT DPA/SE 10-0-0-0

HB 2267: technical correction; ballot; presidential candidates

S/E: presidential electors; ballots

Sponsor: Representative Townsend, LD 16

Caucus & COW

Summary of the Strike-Everything Amendment to HB 2267

Overview

Stipulates that if the names of the presidential electors are printed on a ballot then they must also be included in a bracketed list.

History

When presidential electors are being voted for, the presidential and vice-presidential candidates of each party must be grouped and printed together. Their names must be arranged in alphabetical order according to the surname of the presidential candidate. Current statute dictates that the presidential electors be enclosed in a bracketed list on the ballot. Next to the bracketed list, the surname of the presidential and vice-presidential candidate must be printed in bold type. The indicator for the selection of presidential and vice-presidential candidates is located next to the surname of the presidential candidate and the mark directly next to that surname is counted as a vote for each presidential elector in the bracketed list ([A.R.S. § 16-507](#)).

Provisions

1. Specifies that the names of presidential electors must be in a bracketed list only if the names are printed on the ballot. (Sec. 1)
2. Makes technical changes. (Sec. 1)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ELECT DPA 6-4-0-0

HB 2268: election complaints; attorney general

Sponsor: Representative Townsend, LD 16
Caucus & COW

Overview

Describes the manner in which an individual may submit an election complaint to the Attorney General (AG).

History

Current statute outlines the penalties that apply to various election related violations by voters, election officers, election board workers or other persons ([A.R.S. Title 16, Chapter 7](#)). The provisions of statute that define crimes involving elections and crimes against the elective franchise and the related penalties apply to any general, primary, special election or any election called by a county board of supervisors ([A.R.S. § 16-1001](#)). The AG is authorized to enforce the laws related to elections through civil or criminal actions in any election for state office, members of the legislature or statewide initiative or referendum ([A.R.S. § 16-1021](#)).

Provisions

1. Allows a person to submit a complaint to the AG that specifies the election irregularity or the event that constitutes the unlawful act if they have reason to believe that an election irregularity or unlawful act has occurred in the course of conducting an election in this state. (Sec. 1)
2. Stipulates that the complaint must include the following information:
 - a) The name of the complainant; and
 - b) The address and telephone number or email address or other method of contact. (Sec. 1)
3. Requires the AG to provide a toll-free telephone number and an internet access point to receive the election complaints. (Sec. 1)
4. Authorizes the AG to make a preliminary determination as to whether further investigation is warranted. (Sec. 1)
5. Specifies that if further investigation is warranted, the AG may investigate the complaint and provide a copy of the complaint to the President of the Senate and the Speaker of the House of Representatives. (Sec. 1)
6. Directs the AG, upon completion of the investigation, to report the results of the investigation and any recommended enforcement actions to the following:
 - a) President of the Senate;
 - b) Speaker of the House of Representatives;
 - c) Secretary of State;
 - d) County Recorder in the county of the incident;
 - e) Officer in charge of elections in the county of the incident; and

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

f) The public. (Sec. 1)

7. Asserts that the AG must provide a standardized form for complaints and make the form available to the public. (Sec. 1)
8. Permits the authorized designee of the AG to enter a polling place, voting center or counting center while it is in use and to speak to and meet with any person at the location, including a voter or election board worker in order to investigate a complaint. (Sec. 1)

Amendments

Committee on Elections

1. Stipulates that for election violations that do not arise from an election, the AG or appropriate county, city or town attorney may enforce election laws through civil and criminal actions.
2. Requires the AG to provide a toll-free phone number for the public to use to report incidents of voter fraud.
3. Authorizes the AG, to the extent allowed by federal law, to use monies received from the Help America Vote Act to establish, staff and maintain the toll-free phone number and defray investigation costs arising from reports made through the toll-free phone number.
4. Directs the Secretary of State, the county board of supervisors, the county recorder and election board workers to promptly report suspected or known criminal violations of election law to the AG.
5. Allows the AG to refer an election violation matter to the appropriate jurisdiction for investigation pursuant to statute.
6. Specifies that the AG must, on request, provide a copy of the complaint to certain people unless doing so would jeopardize an ongoing investigation.
7. Requires the AG, within 90 days after each general election, to provide a summary report to the President of the Senate and the Speaker of the House of Representatives on the number of complaints received during the year and the number of pending, opened and closed investigations.
8. Authorizes a law enforcement officer, in addition to the designee of the AG, to enter a polling location to preserve order or investigate a criminal complaint.
9. Prohibits the investigative activity to interfere with the lawful conduct of an election or impede or interfere with the ability to vote.
10. Makes technical and conforming changes.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DPA 11-0-0-0

HB 2157: PSPRS; benefit computation; return-to-work

Sponsor: Representative Blackman, LD 6

Caucus & COW

Overview

Modifies the definition of *average monthly benefit compensation*.

History

Relating to the Public Safety Personnel Retirement System, *average monthly benefit compensation* refers to the result of dividing total compensation paid to an employee during a considered period by the number of months compensation was received.

There are three tiers considered for *average monthly benefit compensation*: 1) before January 1, 2012; 2) on or after January 1, 2012, and before July 1, 2017; and 3) on or after July 1, 2017. Of these three tiers, the latter two state that in the computation of *average monthly benefit compensation*, a period of partially paid or nonpaid industrial leave must be considered based on the compensation the employee would have received if they were not on industrial leave ([A.R.S. § 38-842](#)).

Provisions

1. Requires, for members before January 1, 2012, a period of partially paid or nonpaid industrial leave to be considered based on the compensation the employee would have received if they were not on industrial leave. (Sec. 1)
2. Contains technical changes. (Sec. 1, 2)

Amendments

Committee on Government

1. Changes the age a member of the Elected Official's Retirement Plan, Public Safety Personnel Retirement System or Corrections Officer Retirement Plan can begin receiving payments of benefit from 71.5 to 72 years of age.

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 10-0-0-1

HB 2242: treasurer; investment of trust funds

Sponsor: Representative Kavanagh, LD 23
Committee on Government

Overview

Removes current statute relating to permanent endowment funds.

History

The State Treasurer is tasked with receiving and keeping in secure custody all monies that belong to the state. Additionally, the State Treasurer is required to keep an account of all monies that are received and disbursed and keep separate accounts of the appropriations of money and the different funds ([A.R.S. § 41-172](#)).

Permanent endowment funds are defined in statute as the funds or any part of a fund established to retain trust monies, not wholly expendable by the beneficiary on a current basis. All monies in the treasury of this state, other than operating monies, that are entrusted to the State Treasurer for investment and preservation are known as *trust monies* ([A.R.S. § 35-310](#)).

Provisions

1. Repeals current language relating to permanent endowment funds that are managed by the State Treasurer rather than other treasurers in the state. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 11-0-0-0

HB 2261: budget units; encumbrance documents; exception

Sponsor: Representative Kavanagh, LD 23

Caucus & COW

Overview

Clarifies that certain expenditures are exempt from encumbrance document requirements.

History

A *budget unit* is defined as any board, institution, commission, department or other agency of the state that receives, expends or disburses state monies or incurs obligations against the state.

An *encumbrance* is defined in statute as an obligation in the form of any contract, purchase order or other commitment that is chargeable to an appropriation or other authorized fund source and for which a part of the fund source is reserved. When paid or canceled, it ceases to be an encumbrance ([A.R.S. § 35-101](#)).

Before a budget unit issues a purchase order or encumbrance document against appropriations to cover an obligation, actual or anticipated, an encumbrance document must be processed in the accounting system of the state. Encumbrance documents are not required for the following:

- 1) Reimbursements to employees for travel or other incurred expenses;
- 2) Gross payrolls and related employee expenses of a budget unit;
- 3) Eligibility payments;
- 4) Required payments that are not discretionary; and
- 5) Expenditures not exceeding \$5,000 under procedures prescribed in the state accounting manual ([A.R.S. § 35-151](#)).

Provisions

1. Clarifies that certain expenditures under current law are exempt from the requirements of encumbrance documents. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 11-0-0-0

HB 2386: county free library districts; programs

Sponsor: Representative Udall, LD 25

Caucus & COW

Overview

Authorizes a county free library district to provide funding for making resources and programs available to library patrons.

History

A *county free library district* is a political taxing subdivision of Arizona that has all the powers, privileges and immunities granted generally to municipal corporations by the constitution and Arizona laws, including immunity from taxation of its property.

The board of supervisors of a county in which a county free library district is located can enter into contracts with the board of supervisors of other counties to secure the residents of the other county such privileges of the county free library as may be expressed in the contract ([A.R.S. § 48-3902](#)).

Provisions

1. Allows a county free library district to offer or provide funding for:
 - a) Making information, technology and resources available to patrons;
 - b) Providing a studying, researching, reading and learning space;
 - c) Proving educational and informational programs for all age groups; and
 - d) Providing literacy promotion programs for all age groups, with emphasis on early literacy, school readiness, adult literacy, digital literacy and workforce development. (Sec. 1)
2. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 10-0-0-1

HB 2631: PSPRS; local boards; duties; consolidation

Sponsor: Representative Blackman, LD 6

Caucus & COW

Overview

Makes various changes to statutes relating to local boards and the Public Safety Personnel Retirement System (PSPRS), the Elected Officials Retirement Plan (EORP) and the Corrections Officer Retirement Plan (CORP).

History

The administration of and responsibility for making the provisions of PSPRS and CORP effective for each employer are vested in a local board. Current statute outlines the various departments and state agencies that must have a local board and the membership of such boards. A local board must have the powers as necessary to fulfill certain duties. The duties of a local board include the following:

- 1) To decide all questions of eligibility for membership, service credits and benefits and the amount, manner and time of payment of benefits;
- 2) To prescribe procedures that must be followed by claimants in filing benefits applications;
- 3) To make a determination on the right of any claimant to a benefit and to allow the claimant or board of trustees, or both, a right to a rehearing on the original determination; and
- 4) To request and receive information from employers and members that is necessary for the proper administration of the system (A.R.S. §§ [38-847](#), [38-893](#)).

Provisions

EORP

1. Requires, upon request by the board of trustees, an employer to submit any paperwork, data, reports or other materials for any reason, including eligibility determinations and proper administration of the plan. (Sec. 1)

Local Boards (PSPRS & CORP)

2. Stipulates that, within 180 days after appointment or election, each board member must complete local board training as prescribed by the board of trustees. (Sec. 2, 5)
3. Removes the power of a local board to decide on questions of service credits and benefits and to determine the amount, manner and time of payment of any benefits. (Sec. 2, 5)
4. Adds disability and in the line of duty death benefits to the powers and duties of determination of a local board. (Sec. 2, 5)
5. Repeals current statute that states that the granting and approval of relief for a party by a local board is considered final and binding and removes language relating to the requested relief violating the internal revenue code. (Sec. 2, 5)
6. Requires a local board to adopt rules to adjudicate claims and disputes. (Sec. 2, 5)
7. Specifies that the rules of a local board, at a minimum, must incorporate the model uniform rules for local board procedure that are issued by the board of trustees. (Sec. 2, 5)

8. Authorizes the board of trustees to require additional records from the local board or employer or require that the local board conduct a rehearing on certain matters. (Sec. 2, 5)
9. Allows a claimant to apply for or the board of trustees to require a rehearing before the local board within time periods prescribed in statute. (Sec. 2, 5)
10. Asserts that any limitation period for the board of trustees to require a rehearing on a local board decision does not apply if a decision violates the internal revenue code. (Sec. 2, 5)
11. Instructs a local board secretary, within 180 days after election, to complete local board training as prescribed by the board of trustees, including open meeting laws, legal review, ethics and fiduciary responsibilities and duties. (Sec. 2, 5)
12. Removes language specifying that legal counsel employed by a local board is independent of the employer and any employee organization or member. (Sec. 2)
13. Requires each local board to hire an independent legal counsel who is not contracted with or an employee of the employer or any employee organization or member. (Sec. 2, 5)
14. Directs the legal counsel of a local board to complete local board training within 180 days after appointment as prescribed by the board of trustees that includes open meeting laws, legal review, ethics and fiduciary responsibilities and duties. (Sec. 2, 5)
15. Stipulates that an employer and a local board are required to submit any data, reports, paperwork or other materials that are requested by the board of trustees for any reason, including local board action or inaction or to investigate a complaint regarding a local board. (Sec. 2, 5)
16. Specifies that a local board has 60 days to take corrective action if the board of trustees notifies the local board of noncompliance based on an audit or investigation by the board of trustees. (Sec. 2, 5)
17. Authorizes the board of trustees to act on behalf of the local board until the matter is resolved if the local board fails to take adequate corrective action. (Sec. 2, 5)
18. Designates the board of trustees or its designee to work with the local board members to take the appropriate corrective actions to bring the local board and its membership, policies and procedures into compliance. (Sec. 2, 5)

Local Board Consolidation (PSPRS & CORP)

19. Allows a local board to enter into an intergovernmental agreement with other local boards to consolidate the boards for the employers. (Sec. 3, 6)
20. Prescribes that the consolidated local board must work with the board of trustees to ensure the following:
 - a) The new board is duly empaneled; and
 - b) All appointments or elections for local board members are completed in a timely manner. (Sec. 3, 6)
21. States that the consolidated local board must have all of the responsibilities and duties of a local board. (Sec. 3, 6)
22. Asserts that the consolidated local board will decide eligibility for membership and disability and in the line of duty death benefits. (Sec. 3, 6)
23. Directs all consolidated local board members, independent legal counsel and secretary to complete local board training as prescribed by the board of trustees within 180 days after appointment or election. (Sec. 3, 6)

24. Provides that the independent legal counsel of the local board may not be contracted with or employed by the employer or any employee organizations or member of the plan. (Sec. 3, 6)

Uniform Medical Review

25. Requires the local board secretary, within 10 days after the receipt of an application for disability benefits or in the line of duty death benefits, to submit the application to the administrator. (Sec. 3)

26. Stipulates that the administrator or designee must review the findings after a local board has made a determination on the application or the application is deemed granted for disability or in the line of duty death benefits. (Sec. 3)

27. Authorizes the administrator to contract with medical professionals to review such applications. (Sec. 3)

28. Maintains that the board of trustees or administrator may require additional records from the local board or the employer or may require a rehearing to be conducted on the matter. (Sec. 3)

29. Establishes that the decision is subject to judicial review if the board of trustees disagrees with the decision of the local board after a rehearing. (Sec. 3)

Retirement Benefits

30. Directs each employer to submit the retirement application to the board of trustees within ten days of receiving a completed retirement application from a member. (Sec. 3)

31. Requires the board of trustees or its designee to decide all questions of eligibility for service credits and retirement benefits and the amount, manner and time of payment of the retirement benefits. (Sec. 3)

32. Asserts that the board of trustees or its designee must contact the employer and applicant to resolve any discrepancies in the information received before the start date of the benefits. (Sec. 3)

33. Allows the board of trustees to require a review or rehearing on actions or omissions of local boards. (Sec. 4)

Miscellaneous

34. Includes email as a method for the actions of a local board to be given to the applicant-board of trustees. (Sec. 2)

35. Defines *employer*, *member*, *administrator* and *local board*. (Sec. 3)

36. Makes technical and conforming changes. (Sec. 2, 4, 5)

37. Contains a delayed effective date of January 1, 2021. (Sec. 7)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 11-0-0-0

HB 2653: county stadium districts; annual budget

Sponsor: Representative Thorpe, LD 6

Caucus & COW

Overview

Specifies that the board of directors (Board) of a county stadium district (District) may amend the budget only after holding a public hearing.

History

Statute describes the formation of county stadium districts and outlines the requirements in appointing and organizing a board of directors to manage the District. Powers given in statute allow the Board to oversee the District and obtain and manage any real property in its jurisdiction ([A.R.S. §§ 48-4202, 48-4203](#)).

On or before June 30th of each year, the Board is required to hold a public hearing for the adoption and submittal of a budget for the following fiscal year. The required contents of the budget include:

- 1) Receipts and expenditures from the past fiscal year;
- 2) Estimated amount necessary for expenses during the following fiscal year;
- 3) Anticipated revenue to the District in the following fiscal year;
- 4) A statement of profit or loss from operations; and
- 5) A complete asset and liability statement.

The Board may amend the budget after finding good cause ([A.R.S. § 48-4232](#)).

Provisions

1. Requires the Board of a District to hold a public hearing before amending the budget. (Sec. 1)
2. Makes a technical change. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 5-4-0-0

HB 2254: Lyme; vector-borne diseases; treatment.

Sponsor: Representative Blackman, LD 6

Caucus & COW

Overview

Allows licensed health professionals to use long-term antimicrobial therapy to treat patients who have Lyme or a vector-borne disease or symptoms consistent with Lyme disease.

History

According to the Centers for Disease Control and Prevention ([CDC](#)), Lyme disease is caused by a bacterium transmitted to humans through the bite of an infected tick. The National Institutes of Health ([NIH](#)) states that if identified early, Lyme disease can be treated using appropriate antimicrobial drugs for up to four weeks.

Provisions

1. Allows a licensed health professional to prescribe, administer or dispense long-term antimicrobial therapy to eliminate infection or control a patient's symptoms after making a diagnosis that the patient has Lyme or a vector-borne disease or symptoms consistent with Lyme or a vector-borne disease. (Sec. 1)
2. Requires a licensed health professional to document a patient's diagnosis and treatment. (Sec. 1)
3. Specifies that a diagnosis may be based on medical history and physical examination only or in conjunction with testing that supports the diagnosis. (Sec. 1)
4. Prohibits a health profession regulatory board from disciplining a health professional for prescribing, administering or dispensing long-term antibiotic therapy to a patient who has Lyme or a vector-borne disease if the health professional has documented the patient's diagnosis and treatment. (Sec. 1)
5. Defines *licensed prescribing health professional*, *long-term antimicrobial therapy* and *Lyme or a vector-borne disease*. (Sec. 1)
6. Cites this act as the *Ryan Montgomery Lyme Disease Treatment Act*. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DPA 9-0-0-0 | RA DPA 6-0-0-1

HB 2269: donated medicine; requirements

Sponsor: Representative Barto, LD 15

Caucus & COW

Overview

Repeals and rewrites the statute regarding the prescription medicine donation program.

History

As of late 2018, 38 states and Guam had enacted laws for donation of unused prescription drugs, although many of those states do not have functioning medicine donation programs ([NCSL](#)).

Arizona enacted law establishing a prescription medicine donation program in 2006 ([NCSL](#)). Currently, statute allows a person, manufacturer or health care institution to donate medication to any physician's office, pharmacy or hospital that volunteers to participate in the program and meets requirements established by the Arizona State Board of Pharmacy (Board). Donated medications must have an expiration date of greater than six months after the donation, recipients must be residents of Arizona and meet eligibility standards established by the Board, and health care institutions that participate must inspect donated medicine. Additionally, manufacturers and participants of the program are not subject to liability or professional disciplinary action. Statute also prohibits dispensers of donated medicine from seeking reimbursement for donations and prohibits third party payors from providing reimbursement ([A.R.S. § 32-1909](#)).

Provisions

1. Repeals the current statute regarding the prescription medicine donation program. (Sec. 1)
2. Allows an authorized recipient to receive donated medicine after:
 - a) Verifying that the donor is authorized to possess the medicine;
 - b) Recording the donor's name, address, telephone number and permit or license number; and
 - c) Verifying that the donor will remove patient names on donations or otherwise maintain patient confidentiality. (Sec. 2)
3. Permits an authorized recipient to transfer donations to another authorized recipient. (Sec. 2)
4. Stipulates that recipients may only accept donated medicine that:
 - a) Is in unopened, tamper-evident packaging or that has been appropriately repackaged;
 - b) Is not adulterated or misbranded;
 - c) Has been maintained according to U.S. Food and Drug Administration (FDA) standards; and
 - d) Is accompanied by a donor attestation that the donation has been kept in a temperature-controlled environment and is not adulterated. (Sec. 2)
5. Requires donated medicine that does not meet requirements to be returned to the donor or properly destroyed. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

6. Requires a drug manufacturer, repackager, dispenser or wholesaler that participates in the program to comply with federal code on drug supply chain security. (Sec. 2)
7. Outlines requirements on the reception, storage, inspection and dispensing of donated medicine. (Sec. 2)
8. Stipulates that when multiple donated medicines with varied expiration dates are repackaged together, the label must express the earliest expiration date. (Sec. 2)
9. Asserts that dispensed medicine must have an expiration date that is later than the date by which the medicine is expected to be used based on the prescribing directions. (Sec. 2)
10. Specifies that a recipient may only dispense or administer donated medicine if otherwise allowed by law, pursuant to a valid prescription drug order. (Sec. 2)
11. Specifies that participation in the program does not require licensing as a wholesale distributor. (Sec. 2)
12. Prohibits the resale of donated medicine. (Sec. 2)
13. Allows an authorized recipient to charge a handling, dispensing or administrative fee for donated medicine according to rules prescribed by the Board. (Sec. 2)
14. Requires an authorized recipient to comply with federal recordkeeping requirements and to retain records for at least seven years. (Sec. 2)
15. Specifies that a donation's history must begin with the donor of the medicine, include all prior donations and include only drug information required to be on the patient label. (Sec. 2)
16. Requires a donor or recipient to make all records available for audit by the board within five days of the board's request. (Sec. 2)
17. Provides immunity, if acting in good faith, to the following:
 - a) A person or entity involved in the supply chain of donated medicine; and
 - b) A person or entity that prescribes, donates, receives, dispenses, administers, transfers, replenishes or repackages donated medicine. (Sec. 2)
18. Defines *authorized recipient, donor, eligible patient, health care professional, medicine, returns processor* and *unopened tamper-evident packaging*. (Sec. 2)

Amendments

Committee on Health & Human Services

1. Clarifies that donations must be maintained in accordance *and in compliance* with FDA standards.

Committee on Regulatory Affairs

1. Restricts the dispersal of donated medicine to an eligible patient if the prescriber writes or clearly displays on the face of the prescription form "DAW", "dispense as written" or any language that indicates a substitution is not allowed.
2. Adds manufacturer to the definition of *donor*.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 9-0-0-0

HB 2301: adoption; health information; update

Sponsor: Representative Kavanagh, LD 23

Caucus & COW

Overview

Requires the Department of Child Safety (DCS), an agency or person placing a child to notify an adoptee, or if under 18, the adoptees parents of the receipt of any supplemental information received from a member of the birth family.

History

Before placing a child for adoption, DCS, an agency or the person placing the child must compile and provide to the prospective adoptive parents detailed written information including a health and genetic history and all nonidentifying information about the birth parents or members of a birth parent's family set forth in a document that is separate from any document containing identifying information. This does not apply if the birth parents are deceased, their whereabouts are unknown, or the information is not otherwise reasonably available.

Current law requires records containing the information may be supplemented with information supplied by any member of the birth family, any member of the adoptive family, an adult adoptee or the family of an adult adoptee. Supplemental information supplied to DCS or the agency or the person who placed the child must be filed with all other information concerning the adoption (A.R.S. § [8-129](#)).

Provisions

1. Stipulates that DCS, an agency or person placing a child must notify the adoptee, if the adoptee is at least 18 years of age, or the adoptive parents, if the adoptee is under 18 years of age, of the receipt of any supplemental information from a member of the birth family. (Sec. 1)
2. Clarifies that records containing detailed written nonidentifying information, including a health and genetic history and all nonidentifying information about the birth parents or members of a birth parent's family must be retained by DCS, an agency or a person placing the child for 99 years. (Sec. 1)
3. Makes technical changes. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: DP HHS 9-0-0-0

HB 2314: technical correction; health professionals

S/E naturopathic physicians; services

Sponsor: Representative Barto, LD 15

Committee on Health & Human Services

Summary of the Strike-Everything Amendment to HB 2314

Overview

Updates numerous statutes to include the services of naturopathic physicians (NPs).

History

The Naturopathic Physicians Medical Board (Board) regulates NPs and naturopathic medical students certified for clinical training, graduates certified to participate in preceptorship training and naturopathic medical assistants who work under the supervision of a licensed physician. The Board functions to ensure the citizens of Arizona have a safe and dependable choice of healthcare providers when choosing a naturopathic physician. The Board's mission is to protect the public through regulation of the practice of naturopathic medicine. ([Naturopathic Physicians Medical Board](#))

Provisions

1. Includes naturopathic physicians in the following statutes:

- a) Limited liability for treatment related to delivery of infants; exception; definition [A.R.S. § 12-573](#). Limits liability for emergency services provided to a pregnant female, the child or children delivered when the patient has not previously been treated by the NP; (Sec. 1)
- b) Chapter 19 of Title 12 relating to genetic testing. Includes NPs in the statutes addressing disclosure, testing of minors and confidential public records; (Sec. 2)
- c) Human immunodeficiency virus and sexually transmitted disease testing; victim's rights; petition; definitions [A.R.S. § 13-1415](#). Includes NPs in the list of physicians considered as submitting entities for court ordered testing of HIV and sexually transmitted diseases; (Sec. 3)
- d) Emergency administration of epinephrine auto-injectors by trained personnel; immunity [A.R.S. § 15-157](#). Allows an NP to issue a standing order for trained school employees to administer epinephrine auto-injectors to a pupil or adult who is exhibiting symptoms of anaphylactic shock while at school or a school sponsored activity; (Sec. 4)
- e) Powers and duties of the State Board of Education [A.R.S. § 15-203](#). Adds NPs to the statute relating to school procedures on standing order for epinephrine auto-injectors, inhalers or holding chambers; (Sec. 5)
- f) Pupil disciplinary proceedings [A.R.S. § 15-843](#). Allows an NP to certify pupil absences; (Sec. 6)
- g) Medical code information on license; rules; immunity [A.R.S. § 28-3167](#). Permits an NP to certify that a licensee suffers from an adverse medical condition; (Sec. 7)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

- h) Period of suspension; revocation or disqualification; unlicensed drivers; definitions [A.R.S. § 28-3315](#). Allows an NP to submit an evaluation for a person to get their driver's license reinstated or to have a driver's license issued; (Sec. 8)
- i) HIV-related testing; restrictions; exceptions [A.R.S. § 36-663](#) . Allows an NP to review and confirm a significant exposure; (Sec. 9)
- j) Confidentiality; exceptions [A.R.S. § 36-664](#). Permits an NP to release confidential information to a person who has had an occupational exposure risk; (Sec. 10)
- k) Reporting of lead levels [A.R.S. § 36-1673](#). Requires an NP to report to the Arizona Department of Health Services analyses of blood samples that contain significant levels of lead; (Sec. 11)
- l) Definitions [A.R.S. § 36-2351](#). Allows an NP to provide ambulatory care in a medically underserved area at a medical clinic. (Sec. 12)

2. Makes technical changes. (Sec. 8)

Amendments

Committee on Health & Human Services

1. The strike-everything amendment was adopted as amended by removing the first section of the bill.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 9-0-0-0 | COM DP 6-1-1-1

HB 2529: nonretaliation policies; health care institutions

Sponsor: Representative Shah, LD 24

Caucus & COW

Overview

Specifies that a health care institution or any of its third-party contractors is prohibited from retaliatory actions against a health care provider for making a report.

History

Current law requires a licensed health care institution to adopt a procedure for reviewing reports made in good faith by a health professional concerning an activity, policy or practice that the professional reasonably believes:

- a) Violates professional standards of practice or is against the law; and
- b) Poses a substantial risk to the health, safety or welfare of a patient ([A.R.S. § 36-450.01](#)).

Licensed health care institutions must adopt policies that prohibit retaliatory actions against a health professional who in good faith: 1) makes a report to the institution relating to an unlawful activity, policy or practice; and 2) after providing the institution with reasonable opportunity to address the report, provides information to a private health care accreditation organization or governmental entity concerning the activity, policy or practice. There is a rebuttable presumption that any termination or other adverse action that occurs more than 180 days after the date of the report is not a retaliatory action ([A.R.S. 36-§ 450.02](#)).

Retaliatory action is defined as a termination of or other adverse action against a health professional's employment taken by a health care institution because the professional has made a report which address concerns to an unlawful activity, policy or practice ([A.R.S. § 36-450](#)).

Provisions

1. Specifies that a health care institution or any of its third-party contractors is prohibited from retaliatory actions against a health professional for making a report. (Sec. 1)
2. Defines *third-party contractor*. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 8-0-1-0

HB 2608: overdose; disease prevention; programs

Sponsor: Representative Rivero, LD 21

Caucus & COW

Overview

Allows for the establishment of an overdose and disease prevention program and outlines the objectives, offerings and standards of such a program. Provides immunity for possession by a program employee, volunteer or participant of a needle or syringe obtained through the program.

History

According to the Centers for Disease Control and Prevention ([CDC](#)), syringe service programs, also known as needle exchange programs, are disease prevention programs that can provide linkage to substance use disorder treatment, access to sterile injection equipment and proper disposal for injection equipment. The U.S. Department of Health and Human Services ([HHS](#)) and the [CDC](#) have published guidelines for the implementation of such programs.

Provisions

1. Allows a city, town, county or nongovernmental organization to establish and operate an overdose and disease prevention program. (Sec. 1)
2. Outlines the objectives of an overdose and disease prevention program as follows:
 - a) To reduce the spread of bloodborne diseases;
 - b) To reduce needle-stick injuries to law enforcement and emergency personnel;
 - c) To encourage individuals who inject drugs to enroll in evidence-based treatment;
 - d) To increase proper disposal of used syringes; and
 - e) To reduce wounds and infections related to injection drug use. (Sec. 1)
3. Specifies that an overdose and disease prevention program must offer all of the following:
 - a) Disposal of used needles and syringes;
 - b) Injection supply items at no cost and in quantities sufficient to ensure that they are not shared or reused;
 - c) Educational materials on overdose prevention, peer support services, disease prevention and treatment for mental illness and substance abuse disorder;
 - d) Access to kits that contain an opioid antagonist approved by the U.S. Food and Drug Administration; and
 - e) Personal consultations on mental health or substance use disorder treatment or referrals for such treatment. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

4. Requires programs to establish standards for distribution and disposal of needles and syringes and requires that the number of needles and syringes disposed of must be at least equal to the number distributed. (Sec. 1)
5. Provides immunity for possession of an injection supply item or residual amount of a controlled substance contained in an injection supply item obtained from an overdose and disease prevention program by an employee, volunteer or participant of the program. (Sec. 1)
6. Specifies that a person claiming immunity must provide verification that the injection supply item was obtained from an overdose and disease prevention program. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DPA 9-0-0-0

HB 2670: doulas; voluntary certification

Sponsor: Representative Townsend, LD 16
Caucus & COW

Overview

Establishes procedures for a person to apply to the Arizona Department of Health Services (DHS) to obtain a certificate to practice as a doula and outlines powers and duties of the Director of DHS (Director) regarding the certification of community doulas.

History

A *doula* is a part of a birth team who provides support to birthing women and their families before, during and after birth. The nonprofit organization Doulas of North America International ([DONA](#)), the world's largest doula certifying organization, publishes a [code of ethics and standards of practice](#) for certified doulas. Although various private organizations offer certification for doulas, Arizona does not require doulas to be licensed or certified.

Provisions

1. Allows a person to apply to the Director for a certificate to practice as a certified community doula. (Sec. 1)
2. Requires the Director to grant a community doula certificate to a person who
 - a) Meets the qualifications and rules established by the Director;
 - b) Pays the applicable fees; and
 - c) Possesses a valid fingerprint clearance card. (Sec. 1)
3. Specifies that a community doula certificate is valid for three years. (Sec. 1)
4. Requires a doula to file a renewal application at least thirty days, and no more than sixty days, before the current certificate expires, and to complete fifteen hours of continuing education before the certificate may be renewed. (Sec. 1)
5. Requires the Director to prescribe the scope of practice and core competencies of certified community doulas. (Sec. 1)
6. Mandates that the minimum qualifications for the training of certified community doulas must include the following:
 - a) At least 30 hours of in-person classroom instruction;
 - b) At least one documented observation of a birth after training is completed;
 - c) Attending at least three births while serving as the primary doula support person;
 - d) Passing a written examination as prescribed by DHS; and
 - e) Instruction on first aid and cardiopulmonary resuscitation. (Sec. 1)
7. Requires the Director to adopt standards for certified community doula training programs, continuing education programs and qualifications for trainers in such programs. (Sec. 1)

8. Requires the Director to adopt rules that prescribe the scope of practice and the core competencies of certified community doulas. (Sec. 1)
9. Allows the Director to adopt rules for administration and that allow for reciprocity agreements, including with the Indian Health Service. The Director may waive the minimum training and education requirements for certification for applicants that provide documentation of current certification with a nationally recognized doula organization. (Sec. 1)
10. Waives the minimum training and education requirements for certification of applicants who have a current certification with a nationally recognized doula organization. (Sec. 1)
11. Allows the Director to deny, suspend or revoke the certificate of a community doula who:
 - a) Violates a rule adopted by the Director;
 - b) Is convicted of moral turpitude; or
 - c) Indulges in conduct that is detrimental to the public health or safety. (Sec. 1)
12. Allows DHS to revoke a community doula certificate without holding a hearing, and stipulates that the doula may request a hearing which DHS must then conduct. (Sec. 1)
13. Grants the Director the ability to deny, suspend or revoke a certificate permanently or for a fixed time period. (Sec. 1)
14. Specifies that a certified community doula who is employed by an Indian tribe is under tribal government jurisdiction. (Sec. 1)
15. Authorizes the Director to investigate possible violations by examining and copying documents and other physical evidence related to the conduct or competence of a certified doula. (Sec. 1)
16. Requires the Director to establish and collect fees for community doula certification. (Sec. 1)
17. Specifies that a doula is not required to be certified by DHS in order to practice as a doula in Arizona. (Sec. 1)
18. Prohibits the state and political subdivisions of the state from providing a preference in awarding a public contract for certified community doula services. (Sec. 1)
19. Adds certified community doulas to the fingerprinting statutes. (Sec. 2, 4 and 6)
20. Repeals version 2 of the definitions in the Board of Fingerprinting statutes and Fingerprinting Division statutes. (Sec. 3 and 5)
21. Defines *certified community doula*, *director*, *doula*, and *practice as a certified community doula*. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 10-0-0-3

HB 2678: CTEDs; district governing boards; elections

Sponsor: Representative Udall, LD 25

Caucus & Cow

Overview

Allows a school district that previously increased its governing board to five members to reduce, in the next school district general election, its governing board to three members.

History

A school district governing board serves as the governing body of a school district and is made up of three elected members. Governing board members are elected in general elections by qualified electors living within the boundaries of the school district. A person who is a registered voter of this state and has been a resident of the school district for at least one year immediately preceding the day of election is eligible for election as a governing board member (A.R.S. §§ [15-401](#), [15-421](#)).

An elector of a school district may submit a petition to the county school superintendent, signed by at least 10% of the school district electors, requesting the county school superintendent call a special election to determine if the governing board should be increased to five members. Upon receipt of the petition, the county school superintendent must call a special election at least 90 days before the general election. Public notices of the special election must be posted in at least three places in the district at least 10 days prior to the election. If a majority of the electors vote to increase the governing board, the school district must elect five governing board members. If the majority of the electors vote against the increase, the question may not be placed on a ballot again for one year after the election ([A.R.S. § 15-425](#)).

A school district that increases its governing board to five members must elect its members as follows: 1) if one of the previous three offices is to be filled, the three candidates having the highest, the second highest and the third highest number of votes must be elected to four-year terms; or 2) if two of the previous three offices are to be filled, the candidates receiving the highest, the second highest and the third highest number of votes must be elected to four-year terms ([A.R.S. § 15-424](#)).

Under current law, a person who is a registered voter and a resident of a single member district is eligible for election as a member of a career and technical education district (CTED) governing board from that single member district ([A.R.S. § 15-393](#)).

Provisions

Reduction of Governing Board to Three Members

1. Allows a qualified elector of a school district to submit to the county school superintendent a petition, signed by at least 10% of the qualified electors of the district, requesting that the question of reducing the number of members of the governing board to three be considered in the next general election. (Sec. 3)
2. Instructs the county school superintendent to submit the question to the qualified electors of the school district at the next general election. (Sec. 3)
3. Allows only a school district that previously increased its governing board to five members to hold an election to reduce its membership to three members. (Sec. 3)
4. Mandates public notices of a general election addressing the question to be posted in at least three public places in the school district at least 10 days before the general election. (Sec. 3)

5. Specifies the required language that must be included in the ballot. (Sec. 3)
6. Requires a school district to reduce its governing board to three members if the majority of the electors vote in favor of reduction. (Sec. 3)
7. Stipulates that the question may not be placed on the ballot of an election in the district for at least one year if the majority of electors vote against reduction. (Sec. 3)

Election of Governing Board Members

8. States that a member who is serving on a school district governing board that reduces its governing board to three members will continue to serve as a member until the expiration of their current term of office. (Sec. 2)
9. Outlines the election requirements for a school district reducing its governing board to three members. (Sec. 2)

Miscellaneous

10. Requires a person to be a resident of a single member district for at least one year before being elected as a CTED governing board member from that single member district. (Sec. 1)
11. Makes technical and conforming changes. (Sec. 1, 2)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 9-0-0-0

HB 2695: TANF; financial literacy education

Sponsor: Representative Nutt, LD 14

Caucus & COW

Overview

Permits the Department of Economic Security (DES) to allow a course in financial literacy and personal finance to qualify as a work activity as it relates to assistance.

History

The [Jobs Program](#) is Arizona's mandatory employment and training program for work-eligible individuals, generally adults, in households receiving Temporary Assistance for Needy Families (TANF) Cash Assistance. The program engages people in a variety of work-related activities to increase their employable skillset and may offer supportive and some specialized services to remove barriers to employment. These activities and supportive services are provided to encourage and promote self-sufficiency through employment at the earliest opportunity.

As a condition of eligibility or continuing eligibility for cash assistance, all recipients must engage in work activities that are established and determined appropriate by DES. (A.R.S. § [46-299](#))

Provisions

1. Permits DES to allow a course in financial literacy and personal finance to qualify as a work activity as it relates to assistance. (Sec. 1)
2. Specifies that a course in financial literacy and personal finance includes instruction on household cash management techniques, career advice to obtain well-paying and secure employment, using checking and savings accounts, obtaining and using short-term and long-term credit or securing a loan or other long-term financing arrangements for high-cost items. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 10-0-0-0-0 | LAG DPA 7-0-0-0-0

HB 2062: animal fighting paraphernalia; offense

Sponsor: Representative Kavanagh, LD 23

Caucus & COW

Overview

Prohibits a person from knowingly owning, possessing, purchasing, selling, transferring or manufacturing animal fighting paraphernalia that engages in, promotes or facilitates animal fighting or cockfighting.

History

Animal fighting violations occur when a person knowingly owns, possesses, keeps or trains an animal for fighting with another animal, causes an animal to fight for amusement or gain, or permits these acts on any premises of the person's charge or control. These acts are a class 5 felony ([A.R.S. § 13-2910.01](#)). Being knowingly present at a place or building made for the exhibition of animal fighting is a class 6 felony ([A.R.S. § 13-2910.02](#)).

Cockfighting violations occur when a person knowingly owns, possesses, keeps, trains a cock for fighting with another cock, causes a cock to fight for amusement or gain or permits these acts on any premises of the person's charge or control. These acts are punishable by a class 5 felony ([A.R.S. § 13-2910.03](#)). Being knowingly present at a place or building made for the exhibition of cockfighting is a class 1 misdemeanor ([A.R.S. § 13-2910.04](#)).

Provisions

1. Prohibits a person from knowingly possessing, purchasing, selling, transferring or manufacturing animal fighting paraphernalia to engage in, promote or facilitate animal fighting or cockfighting. (Sec 1)
2. Classifies these acts as a class 1 misdemeanor. (Sec 1)
3. Defines *animal fighting paraphernalia* as equipment, products, implements, materials that are used, intended for use or designed for animal fighting or cockfighting, such as:
 - a) breaking sticks;
 - b) cat mills;
 - c) treadmills;
 - d) fighting pits;
 - e) springpoles;
 - f) unprescribed veterinary medicine;
 - g) treatment supplies;
 - h) gaffs;
 - i) slashers;
 - j) heels; and
 - k) other sharp implements meant to attach in place of a natural spur of a cock or game fowl. (Sec 1)

Amendments

Committee on Land & Agriculture

1. Specifies that activities that involve possessing, training, exhibiting or using an animal in the otherwise lawful pursuits of hunting, ranching, farming, rodeos, shows and security services are exempt from statutes that define and set penalties for animal fighting and cock fighting or being knowingly present at these fights.

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

2. Removes *unprescribed veterinary medicine* and *treatment supplies* from the definition of animal fighting paraphernalia.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 10-0-0-0-0

HB 2236: deferred prosecution program; definition

Sponsor: Representative Allen J, LD 15

Caucus & COW

Overview

Allows a county attorney to prohibit a person accused of committing a crime from entering a special supervision program before a plea or a trial, if the person had previously been convicted of a serious offense, a dangerous offense, dangerous crimes against children or previously been convicted three or more times for possession of a controlled substance or possession of drug paraphernalia.

History

Currently, the county attorney may not divert or defer the prosecution of a person who:

- 1) Has been previously convicted of one of the following:
 - a) A serious offense;
 - b) A dangerous offense, or
 - c) A dangerous crime against children.
- 2) Has been convicted three or more times of either:
 - a) Personal possession of a controlled substance; or
 - b) Personal possession of drug paraphernalia ([A.R.S. § 11-361](#)).

Provisions

1. Allows a county attorney to prohibit a person accused of committing a crime from entering a special supervision program before a plea or a trial if the person had previously:
 - a) Been convicted of a serious offense;
 - b) A dangerous offense;
 - c) Been convicted of a dangerous crime against children; or
 - d) Been convicted three or more times for possession of a controlled substance or drug paraphernalia. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 9-0-0-1-0-0

HB 2257: arrest procedures; magistrates

Sponsor: Representative Roberts, LD 11
Caucus & COW

Overview

Allows a peace officer or private citizen to take an arrested person to either the nearest or most accessible magistrate in the county in which the arrest occurs, or a magistrate in the county where the offense was committed.

History

A person arrested without a warrant must be taken to the nearest or most accessible magistrate in the county the arrest occurs in ([A.R.S. § 13-3898](#)).

A private person who has made an arrest must take the person arrested to the nearest or most accessible magistrate in the county in which the arrest was made, or deliver him to a peace officer, who must take him before the magistrate ([A.R.S. § 13-900](#)).

If a warrant is issued for an arrest in one county and an officer arrests that person in another county, the officer must take the arrested person to the magistrate or other official with authority to admit bail. If the magistrate or other official with authority to admit bail is unable to admit the arrested person to bail at the time, the officer must take the arrested person to the nearest magistrate in that same county ([A.R.S. § 13-3963](#)).

If a person arrested is bailable, the arresting officer must, upon being so required by the arrested person, take him before a magistrate or other official who has authority to admit to bail for such offense in the county the arrest is made, who must admit them to bail for their appearance before the magistrate named or otherwise designated in the warrant. If the magistrate or county official having authority to admit to bail for such offense is absent or unable to act, the officer making the arrest must take them to the nearest or most accessible magistrate in the same county ([A.R.S. § 13-3964](#)).

Provisions

1. Allows a person arrested without a warrant in another county to be taken to either the nearest or most accessible magistrate in the county in which the arrest occurs, or a magistrate in the county where the offense was committed. (Sec. 1)
2. Allows a private person who made an arrest to take the person arrested without a warrant in another county to either the nearest or most accessible magistrate in the county in which the arrest occurs, or a magistrate in the county where the offense was committed. (Sec. 2)
3. Requires a person arrested by a warrant occurring in a county other than that in which the alleged offense was committed, to be taken either before the nearest or most accessible magistrate in the county in which the arrest occurs, or a magistrate in the county in which the offense was committed. (Sec. 3)
4. Allows an officer to take an arrested person to a magistrate or other official who has the authority to admit to bail where the offense was committed and admit the arrested person to bail. (Sec. 4)
5. Requires the magistrate or other official who admits the person arrested to bail to order the arrested person appear in the court that issued the warrant. (Sec. 4)
6. Contains technical and conforming changes. (Sec. 1, 2, 3, 4)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session
House: JUD DP 10-0-0-0

HB 2399: unmanned aircraft operation; public venues

Sponsor: Representative Weninger, LD 17

Committee on Judiciary

Overview

States it is unlawful for a person to operate or use an unmanned aircraft or unmanned aircraft system in the commission of a criminal offense and authorizes a person to operate an unmanned aircraft or unmanned aircraft system near a critical facility if the person obtained prior permission.

History

Current statute prohibits a person from operating a model aircraft or a civil unmanned aircraft if the operation violates federal law or regulations. A violation of this offense is a class 1 misdemeanor. Additionally, current statute prohibits a person to use an unmanned aircraft over or near a critical facility in the commission of a criminal offense. A violation of this is a class 6 felony for the first offense and a class 5 felony for subsequent offenses. ([A.R.S. § 13-3729](#))

Critical facility means any of the following: 1) a petroleum or alumina refinery; 2) a petroleum, chemical, or rubber production, transportation, storage or processing facility; 3) a chemical manufacturing facility; 4) a water or wastewater treatment facility and water development, distribution, or conveyance system, including a dam; 5) an electric generation facility; 6) electrical transmission or distribution substation; 7) an electric transmission line of at least 69,000 volts; 8) an electronic communication station; 9) an energy control center; 10) a facility that transfers or distributes natural gas; 11) any railroad infrastructure or facility; 12) a federal, state, county, or municipal court, prison, or jail; 13) a public safety or emergency operation facility; 14) a federal or state military facility; and 15) a hospital that received air ambulance services. ([A.R.S. § 13-3729](#))

Unmanned aircraft means an aircraft commonly known as a drone, that is operated without the possibility of direct human intervention from within or on the aircraft. *Unmanned aircraft system* means an unmanned aircraft and associated elements, including any communication links and components that control the unmanned aircraft. ([A.R.S. § 13-3729](#))

Provisions

1. States that it is unlawful for a person to operate or use an unmanned aircraft or unmanned aircraft system in the commission of a criminal offense. (Sec. 1)
2. Authorizes a person to operate an unmanned aircraft or unmanned aircraft system over or near a critical facility if the person obtained prior written permission from the critical facility owner or operator. (Sec. 1)
3. Includes *multipurpose facility* and *public sports arena or stadium* in the definition of *critical facility*. (Sec. 1)
4. Contains conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 9-0-0-1

HB 2412: conviction set-aside; traffic violations

Sponsor: Representative Allen J, LD 15

Caucus & COW

Overview

Allows the court to set-aside convictions related to traffic offenses.

History

Convicted persons of a criminal offense may apply to have a judgment of guilt set-aside; however, some convictions are not eligible to be set-aside, including convictions of: 1) dangerous offenses; 2) offenses where persons are required or ordered to register; 3) offenses with findings of sexual motivation; 4) felony offenses involving a minor victim under 15 years old; and 5) various traffic offenses ([A.R.S. § 13-905](#)).

Provisions

1. Removes the following traffic offenses from the prohibited list of set-aside convictions:
 - a) driving on a suspended, revoked or canceled license;
 - b) local ordinances related to stopping, standing or operation of a vehicle; and
 - c) local ordinances related to reckless driving. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DPA 10-0-0-0-0-0 | APPROP DPA 11-0-0-0-0-0

HB 2414: appropriations; alternative prosecution; diversion programs

Sponsor: Representative Allen J, LD 15

Committee on Appropriations

Overview

Appropriates \$17,056,851 from the state general fund to the Arizona Criminal Justice Commission (ACJC) for alternative prosecution and diversion programs each of fiscal years 2021, 2022 and 2023. Requires an annual report from the ACJC on the use of monies.

History

The [Arizona Criminal Justice Commission](#) (ACJC) was statutorily created in 1982 to carry out various coordinating, monitoring and reporting functions regarding the administration and management of criminal justice programs in Arizona. The ACJC serves as a resource and service organization for Arizona's criminal justice community on several issues ranging from drugs, gangs and victim assistance to record improvement programs. The Commission also works to facilitate information and data exchange among state-wide criminal justice agencies. ([A.R.S. § 41-2405](#))

Provisions

1. Appropriates \$17,056,851 from the state general fund to ACJC for alternative prosecution and diversion programs in each of the fiscal years 2021, 2022 and 2023. (Sec. 1)
2. Distributes the monies to the following counties:
 - a) Apache, \$155,444;
 - b) Cochise, \$276,247;
 - c) Coconino, \$1,176,000;
 - d) Gila, \$116,474;
 - e) Graham, \$100,000;
 - f) Greenlee, \$100,000;
 - g) La Paz, \$100,000;
 - h) Maricopa, \$4,250,000;
 - i) Mohave, \$451,403;
 - j) Navajo, \$238,997;
 - k) Pima, \$2,192,281;
 - l) Pinal, \$933,957;

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

- m) Santa Cruz, \$111,055;
 - n) Yavapai, \$485,367; and
 - o) Yuma, \$477,400. (Sec. 1)
- 3. Mandates that monies are only to be used for the following purposes:
 - a) Establish and operate alternative prosecution and diversion programs; and
 - b) Explore, develop, apply and evaluate evidence-based practices for alternative prosecution and diversion programs. (Sec. 1)
 - 4. Requires ACJC to submit an annual report on October 1 to the joint legislative budget committee in fiscal years 2021, 2022 and 2023 for the use of the monies during the previous fiscal year. (Sec. 1)
 - 5. States the *diversion programs* include prearrest programs that address the social and behavioral causes of criminogenic conduct. (Sec. 1)

Amendments:

- 1. Contains a technical change:
 - a) Decreases the amount of money appropriated from \$17,056,851 to \$11,264,625.
- 2. States the ACJC may use \$100,000 of the monies each fiscal year to administer this program, including the reporting requirements.
- 3. Stipulates that these monies are intended to supplement, not replace, monies otherwise available for alternative prosecution and diversion programs.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 10-0-0-0-0

HB 2624: human trafficking; civil action; liability

Sponsor: Representative Bolick, LD 20

Caucus & COW

Overview

Outlines liability of intentionally or knowingly benefiting from participating in a venture that traffics another person. Defines *person*, *traffics another person* and *trafficking of a person*.

History

A person commits a class 4 felony if a person knowingly obtains the labor or services of another person by doing any of the following:

- 1) Causing or threatening to cause bodily injury to that person or another person;
- 2) Restraining or threatening to restrain that person or another person without lawful authority and against that person's will; or
- 3) Withholding that person's governmental records, identifying information or other personal property.
([A.R.S. § 13-1306](#)).

A person commits a class 2 felony if a person knowingly traffics another person who is eighteen years of age or older with either of the following:

- 1) The intent to cause the other person to engage in any prostitution or sexually explicit performance by deception, force or coercion; or
- 2) The knowledge that the other person will engage in any prostitution or sexually explicit performance by deception, coercion or force. ([A.R.S. § 13-1307](#)).

Provisions

1. Outlines liability of intentionally or knowingly benefitting from participating in a venture that traffics another person. (Sec. 1)
2. Asserts that a person who knowingly and intentionally engages in or benefits from the trafficking of a person is liable to the person trafficked for damages and it is not a defense to liability if any of the following apply:
 - a) The person was acquitted of a criminal offense;
 - b) Has been prosecuted for or convicted of a criminal offense;
 - c) Has been convicted of a different offense; or
 - d) Convicted of a different type or class of offense. (Sec. 1)
3. States that a person or entity can be held liable for damages for the trafficking of another person if the trafficked person can prove the person or entity received a direct personal benefit from the action. (Sec. 1)
4. Entitles a person who has been trafficked to be awarded the following:
 - a) Actual damages, including damages for mental distress, even if an injury other than mental distress is not shown;

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

- b) Court costs and reasonable attorney fees; and
 - c) Exemplary damages. (Sec. 1)
5. Defines the terms *person* as a human being and, as the context requires, an enterprise, public or private corporation, unincorporated association, partnership, firm, society, government, governmental authority or an individual or entity capable of holding a legal or beneficial interest in property. (Sec. 1)
6. Defines *traffics another person* or *trafficking of another person*. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 10-0-0-0

HB 2652: unauthorized racing meetings; penalties; racketeering

Sponsor: Representative Kavanagh, LD 23
Caucus & COW

Overview

Establishes unauthorized racing meetings as a form of racketeering committed for financial gain.

History

Horse racing is defined in statute as racing where horses are mounted and ridden by jockeys. A *racing meeting* is defined as the number of days granted by the Arizona Racing Commission with a permit ([A.R.S. § 5-101](#)). A person, association, partnership or corporation cannot hold a racing meeting without a permit issued by the Department of Gaming ([A.R.S. § 5-107.01](#)).

A person who holds or conducts a racing meeting or operates an additional wagering facility without a permit is guilty of a class 2 misdemeanor ([A.R.S. § 5-115](#)).

Racketeering is defined in statute as an act or offense chargeable or indictable under Arizona or U.S. laws and punishable by imprisonment for more than one year. Forms of racketeering include acts committed for financial gain, such as money laundering, extortion, forgery and gambling ([A.R.S. § 13-2301](#)).

Provisions

1. Defines *unauthorized racing meeting* as any racing meeting conducted outside the bounds of a permit. (Sec. 1)
2. Classifies knowingly holding an unauthorized racing meeting as a class 6 felony. (Sec. 2)
3. Classifies holding an unauthorized racing meeting as racketeering if committed for financial gain. (Sec. 3)
4. Contains technical and conforming changes. (Sec. 1, 3)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: LAG DP 7-0-0-0-0 | APPROP DPA/SE 10-0-0-1-0

**HB 2088: appropriation; state lake improvement fund
S/E state lake improvement fund; appropriation
Sponsor: Representative Biasiucci, LD 5
Caucus & COW**

Summary of the Strike-Everything Amendment to HB 2088

Overview

Caps expenditures from the State Lake Improvement Fund (Fund) for planning and administration staff support at 10% of monies deposited into the fund annually.

History

Fund monies are appropriated to the Arizona State Parks Board (Board), which can use these monies for:

- 1) Staff support to plan and administer this fund; and
- 2) Certain projects on waters where gas-powered boats are allowed, such as building public piers and public parking areas and acquiring property to provide access to waters for boating.

Projects eligible for Fund monies can be carried out by the Board, the Arizona Game and Fish Commission, a county board of supervisors or the governing board for a city or town. However, these projects cannot interfere with any vested water rights or a water project's maintenance and operation.

The Arizona Outdoor Recreation Coordinating Commission reviews applications for Fund monies, and the Board approves them. Additionally, the Joint Committee on Capital Review must review all approved projects ([A.R.S. § 5-382](#)).

Fund monies come from the following sources:

- 1) Transfers from the Highway User Revenue Fund based on the estimated state gasoline taxes paid for boating ([A.R.S. § 28-5926](#));
- 2) Watercraft license taxes collected by the Arizona Game and Fish Department ([A.R.S. § 5-323](#)); and
- 3) Investment income.

Provisions

1. Caps expenditures from the Fund for staff support for planning and administration of the Fund at 10% of monies deposited into the fund annually.
2. Removes authorization of the Board to spend Fund monies in conjunction with other administrative tasks and recreation plans of the Board.
3. Appropriates \$5,000,000 to the Board in FY 2021 for Board operating costs.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: LAG DP 7-0-0-0-0

HB 2292: citrus research council; fee increase

Sponsor: Representative Dunn, LD 13

Caucus & COW

Overview

Increases the limit on the fee that the Arizona Citrus Research Council (Council) can assess and broadens the types of goods on which this fee can be assessed.

History

The Council supports the development of citrus research programs and projects within Arizona's citrus industry. It can authorize or contract for programs on varietal development; citrus pest eradication; and producing, harvesting, handling and moving produce from field to market ([A.R.S. § 3-468.02](#)). To fund its activities, the Council can assess a fee that cannot exceed 1.5 cents per standard carton of citrus produced in Arizona for market ([A.R.S. § 3-468.04](#)).

Provisions

1. Increases the fee limit to 5 cents per standard carton of citrus produced. (Sec. 2)
2. Adds 40 pounds of equivalent weight in citrus bulk bins to the goods on which the Council can assess this fee. (Sec. 2)
3. Allows the Council to assess this fee at different amounts for citrus produced for the fresh market and citrus produced for juice production. (Sec. 2)
4. Broadens the definition of *citrus* to include citrus that is produced in Arizona for juice production. (Sec. 1)
5. Contains a Proposition 108 clause. (Sec. 3)
6. Makes technical and conforming changes. (Sec. 1 and 2)

☐ Prop 105 (45 votes)

☒ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: LAG DPA 7-0-0-0

HB 2592: state lands; leases; renewal applications

Sponsor: Representative Griffin, LD 14
Caucus & COW

Overview

Requires the State Land Department (Department) to accept state land lease renewal applications by mail and electronically and prohibits the Department from considering how an application was submitted when determining whether to renew a lease.

History

A lessee of state lands has a preferred right to renewal for a term of no more than ten years if they are an Arizona resident or legally authorized to transact business in the state. This preferred renewal right does not apply to a lessee who has not complied with the lease terms or who has not placed the land to the use prescribed in the lease during its term or within the time prescribed. Someone must submit their lease renewal application between 30 days to a year before the lease expires. The Department will determine if the lease will be renewed. The lease will not be renewed if the Department determines the continued leasing of the land is not in the best interest of the state trust ([A.R.S. § 37-291](#)).

Provisions

1. Requires the Department to accept state lands renewal applications by mail and electronically.
2. Prohibits the Department from considering how a renewal application was submitted when determining whether to renew a lease.
3. Makes technical changes.

Amendments

Committee on Land & Agriculture

1. Directs the State Land Commissioner and Arizona Department of Water Resources Director to investigate acceptable sites on State Trust Lands to construct new water storage facilities.
2. Requires these parties to identify at least six acceptable sites for these facilities.
3. Repeals this requirement on January 1, 2022.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: LAG DP 7-0-0-0

HB 2673: livestock loss board; avoidance measures

Sponsor: Representative Griffin, LD 14

Caucus & COW

Overview

Allows the Livestock Loss Board (Board) to compensate those who implement avoidance measures to prevent wolf predation on livestock and allows the Livestock Compensation Fund (Fund) to provide compensation for those measures.

History

The Board was created to address wolf depredation on livestock operations and consists of members from the Arizona Department of Agriculture, the Arizona Game and Fish Department (Department), the livestock industry, the wildlife conservation and management community and the state's universities ([A.R.S. § 17-491](#)). The Board sets requirements for lessees and livestock operators to demonstrate wolf depredation and to apply and receive compensation for any depredation. Additionally, the Board determines compensation rates, but it is not required to compensate landowners, lessees or livestock operators for wolf depredation. Finally, the Board can coordinate with the Department to investigate wolf depredation on livestock and any corrective measures taken to alleviate property damage caused by wolves ([A.R.S. § 17-492](#)).

The Fund compensates landowners, lessees and livestock operators for wolf depredation on livestock and can also be used to compensate these parties if they allow wolves on their private property and accept potential wolf depredation. It consists of federal monies, legislative appropriations, public and private grants and private donations. Monies in this fund must supplement, and not supplant, monies appropriated by the Department ([A.R.S. § 17-493](#)).

Provisions

1. Allows the Board to compensate landowners, lessees or livestock operators for implementing avoidance measures to prevent wolf predation on livestock. (Sec. 1)
2. Allows the Fund to be used for implementing avoidance measures to prevent wolf depredation on livestock. (Sec. 2)
3. Defines *avoidance measures* as actions livestock owners take to reduce the likelihood of livestock depredation, including education and using range riders, livestock guardian dogs, fladry, fox lights or cost-intensive management practices. (Sec. 1)
4. Makes technical and conforming changes. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: MVA DP 7-0-0-0 | APPROP DPA 10-0-0-1

HB 2139: appropriation; veterans' services; benefits counselors

Sponsor: Representative Lawrence, LD 23

Caucus & COW

Overview

Provides funding to the Arizona Department of Veterans' Services (ADVS) to hire additional benefits counselors.

History

[Laws 1999, Chapter 164](#) established ADVS with a governor-appointed director. The duties of ADVS include but are not limited to: 1) Assisting veterans and their families and dependents in presenting, providing and establishing claims, privileges, rights and benefits they may have under federal, state or local law; 2) Informing veterans and their families and dependents and military and civilian authorities about federal, state and local laws enacted to benefit veterans and their families and dependents and members of the armed forces; 3) Collecting information relating to services and facilities available to veterans; and 4) Cooperating with all government and private agencies receiving services for or benefits to veterans and their families and dependents ([A.R.S. § 41-603](#)).

ADVS is currently appropriated 57 full-time equivalent positions for the Veteran Services Division. 42 are for veteran benefit counselors, of which only 30 positions are funded and filled.

Provisions

1. Appropriates \$1,200,000 from the General Fund in FY 2021 to ADVS to hire additional benefits counselors. (Sec. 1)

Amendments

Committee on Appropriations

1. Decreases the appropriation from \$1,200,000 to \$416,400.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: MVA DPA 6-0-1-0

HB 2690: state agencies; veterans status; inquiry

Sponsor: Representative Andrade, LD 29

Caucus & COW

Overview

Requires all state agencies, boards, commissions or other administrative units of Arizona to ask every individual at the initial point of service and on each application form if the individual or a family member ever served in the military.

History

Statute establishes various state agencies, boards, commission and other administrative units of State of Arizona. These executive departments provide a variety of services for the public. These services include professional and occupational licensure or certification at various board and commissions, motor vehicle services at the Motor Vehicle Division and social services provide by the Department of Economic Security. ([Title 28](#), [Title 32](#) and [Title 41](#)).

Provisions

1. Requires all state agencies, boards, commissions or other administrative units of Arizona to ask every individual at the initial point of service and on each printed application form the following question: "Have you or a family member ever served in the military?". (Sec. 1)
2. Contains a delayed effective date of January 1, 2021. (Sec. 2)

Amendments

Committee on Military & Veterans Affairs

1. Requires all state agencies, boards, commissions or other administrative units of Arizona to provide a website address and contact information for the Arizona Department of Veterans' Services and the Be Connected program to individuals who answer in the affirmative to the question on military service.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA 12-0-0-1-0

HB 2098: dam safety study committee
Sponsor: Representative Griffin, LD 14
Caucus & COW

Overview

Establishes the Dam Safety Study Committee (Committee) to collect information on the safety, age and maintenance needs of dams within Arizona.

History

A *dam* is an artificial barrier for impounding or diverting water that is over 25 feet high or stores more than 50 acre-feet of water. It does not include any barrier that:

- 1) Is less than six feet high, regardless of storage capacity;
- 2) Stores 15 acre-feet of water or less, regardless of height;
- 3) Controls liquid-borne material;
- 4) Is a release-contained barrier; or
- 5) Is owned, controlled, operated, maintained or managed by the United States government if a safety program that is as stringent as the state safety program applies and is enforced against the federal government's agents or instrumentalities ([A.R.S. § 45-1201](#)).

Provisions

1. Establishes the Committee to collect information on the safety, age and maintenance needs of dams within Arizona.
2. Directs the Committee to submit a report of its findings by December 31, 2020 to the Governor, Speaker of the House and President of the Senate.
3. Establishes the Committee's membership:
 - a) Two members of different political parties from the House Natural Resources, Energy & Water Committee appointed by the Speaker of the House;
 - b) Two members of different political parties from the Senate Water & Agriculture Committee appointed by the President of the Senate; and
 - c) The Arizona Department of Water Resources Director, or their designee.
4. Repeals the Committee on July 1, 2021.

Amendments

Committee on Natural Resources, Energy & Water

1. Adds the following two members to the Committee:
 - a) one member who represents a county flood control district from a county with more than 2,000,000 people who is appointed by the Speaker of the House of Representatives.
 - b) one member who represents a county flood control district from a county with less than 2,000,000 people who is appointed by the President of the Senate.
2. Defines *dams*.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 12-0-0-1-0

HB 2217: outdoor recreation coordinating commission; continuation

Sponsor: Representative Griffin, LD 14

Caucus & COW

Overview

Continues the Arizona Outdoor Recreation Coordination Commission (Commission) until July 1, 2023.

History

The Commission:

- 1) Reviews statewide outdoor recreation and lake improvement plans and provide comments to the Arizona State Parks Board;
- 2) Reviews budget proposals for the use of Land and Water Conservation Fund (LWCF) surcharges and the State Lake Improvement Fund (SLIF) for planning and administration and provides recommendations to the Arizona State Parks Board; and
- 3) Establishes criteria and policies for distributing funds, reviews applications for eligible projects and determines the amount of funding for each project to be funded from LWCF, SLIF and the Off-Highway Vehicle Recreation Fund ([A.R.S. § 41-511.25](#)).

The House of Representatives Natural Resources, Energy and Water Committee of Reference met on January 14, 2020 and recommended a 3-year continuation for the Commission.

Provisions

1. Continues the Commission retroactively from July 1, 2020 until July 1, 2023.
2. Repeals the Commission's statutes on January 1, 2024.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 11-1-1-0-0 | APPROP DP 8-3-0-0-0

HB 2286: appropriation; wastewater treatment infrastructure

Sponsor: Representative Osborne, LD 13

Caucus & COW

Overview

Appropriates \$5,000,000 from the state General Fund in FY 2021 to Glendale for the costs associated with constructing water reclamation and wastewater treatment infrastructure near Luke Air Force Base.

History

Glendale is a city in Maricopa County with an estimated population of 250,702 in 2018 according to the U.S. Census Bureau. Luke Air Force Base is seven miles west of Glendale.

Provisions

1. Appropriates \$5,000,000 from the state General Fund to the Arizona Department of Environmental Quality to distribute to Glendale for costs associated with constructing water reclamation and wastewater treatment infrastructure near Luke Air Force Base in FY 2021.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA/SE 13-0-0-0-0

**HB 2620: ombudsman; assistance; surface water adjudications
law clinic; stream adjudications; appropriation
Sponsor: Representative Bowers, LD 25
Caucus & COW**

Summary of the Strike-Everything Amendment to HB 2620

Overview

Appropriates money to the University of Arizona in FY 2021 to establish a law clinic to provide pro bono assistance to general stream adjudication claimants who are not represented by legal counsel.

History

The general stream adjudications are judicial proceedings to determine the extent and priority of water rights in the Gila River and Little Colorado River systems ([A.R.S. § 45-251 et seq.](#)). The Gila River adjudication began in 1974 and is assigned to the Maricopa County Superior Court. The Little Colorado River adjudication began in 1978 and is assigned to the Apache County Superior Court.

Provisions

1. Appropriates \$500,000 from the state General Fund to the University of Arizona to establish a law clinic to assist general stream adjudication claimants in FY 2021. (Sec. 2)
2. Allows a university under the jurisdiction of the Arizona Board of Regents to offer pro bono expertise to general stream adjudication claimants who are not represented by counsel and have fewer legal resources available. (Sec. 1)
3. Directs a university that provides legal assistance to submit an annual report of its activities to the Governor, the Speaker of the House of Representatives and the President of the Senate and provide a copy of the report to the Secretary of State by November 15. (Sec. 1)
4. Requires any university that provides legal assistance to coordinate with the faculty of an Arizona cooperative extension that has a program to support the economic vitality of rural communities and use of natural resources in those communities. (Sec. 1)
5. Exempts the appropriation from lapsing. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 13-0-0-0-0

HB 2640: environmental technology; biomass; forestry products

Sponsor: Representative Nutt, LD 14

Caucus & COW

Overview

Allows a company to continue qualifying for the Arizona Commerce Authority's (ACA) Environmental Technology Assistance Program (Program) if it locates or makes additional capital investment in a facility that processes biomass and forestry industry products.

History

The ACA's Program assists qualified manufacturers, producers and processors (companies) in locating or expanding facilities in Arizona. To qualify for assistance, a company must:

- 1) Not import hazardous or special waste in Arizona unless it holds an ADEQ storage or treatment facility permit or ADEQ has approved a plan that authorizes it to accept special waste as part of a recycling operation; and
- 2) Locate or make additional capital investments in a facility that:
 - a) Is either owned by a qualified company or leased by that company for at least five years;
 - b) Makes products from recycled materials or with renewable energy; or
 - c) Cost at least \$20,000,000 for new capital investment in Arizona within five years after construction begins or improvements are installed ([A.R.S. § 41-1514.02\(E\)](#)).

Statute directed the Department of Commerce, which was the ACA's predecessor, to identify and certify qualified facilities before June 30, 1996. To maintain its certification, a company must:

- 1) Submit copies of all required information on actual or projected number of employees at the qualified facility and the actual or projected annual capital investment in those facilities; and
- 2) Allow audits and inspections to verify the accuracy of the submitted information ([A.R.S. § 41-1514.02\(C\)](#)).

Certification allows someone to earn a tax credit for construction expenses against individual income taxes ([A.R.S. § 43-1080](#)) and corporate income taxes ([A.R.S. § 43-1169](#)). Each tax credit is 10% the amount spent during the taxable year to construct the facility.

Provisions

1. Allows a company to continue qualifying for Program assistance if it is locating or making additional capital investment in a facility that it either owns or leased for five or more years and that predominantly processes biomass and forestry industry products.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA 7-5-0-1-0-0

HB 2672: water rights

Sponsor: Representative Griffin, LD 14
Caucus & COW

Overview

Prohibits a person, the state or its political subdivisions with a better right to appropriate water from preventing the exercise of a junior water right unless doing so would produce water for beneficial use for the better right holder.

History

Waters in Arizona belong to the public and are subject to appropriation. A person, the state, or its political subdivisions can appropriate unappropriated waters for a variety of uses, including irrigation, water power, wildlife or delivery to consumers. The entity first appropriating the water has the better right. With certain exceptions, when a water right owner ceases or does not use the water for five successive years, the right ceases and the water reverts to the public and is again subject to prior appropriation.

Beneficial use is the basis, measure and limit of any appropriated water right. To achieve beneficial use, an entity can build and maintain reservoirs, storage facilities, dams, canals, ditches, flumes and other necessary waterways. Any entity intending to beneficially use water must apply to the Arizona Department of Water Resources for a permit to appropriate the water (A.R.S. §§ [45-141](#), [45-151](#), and [45-152](#)).

Provisions

1. Prohibits a person, the state or its political subdivisions with a better right to appropriate water from prevent the exercise of a junior water right unless preventing that exercise would produce water for beneficial use for the better right holder.
2. Makes technical changes.

Amendments

Committee on Natural Resources, Energy & Water

1. Allows a junior user to prevent curtailment of their water rights by demonstrating that curtailment would not produce water for beneficial use for the better right holder.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA 7-5-0-1-0

HB 2674: water; substitute acreage

Sponsor: Representative Griffin, LD 14
Caucus & COW

Overview

Allows someone to permanently retire acreage from irrigation and substitute the same amount of acreage if those retired lands were damaged by a flood or have a limiting condition, if the person can meet certain criteria.

History

Statute allows those who own land that can be legally irrigated in an active management area (AMA) or an irrigation non-expansion area (INA) to apply to the Arizona Department of Water Resources (ADWR) Director to permanently retire those lands from irrigation and instead irrigate a substitute amount of acreage if they can meet certain prescribed statutory criteria.

In an INA, someone can pursue this substitution when:

- 1) Central Arizona Project water is available and will be used to irrigate substitute acreage which is outside a municipality's or water company's service area but part of the same irrigation district ([A.R.S. § 45-437.01](#));
- 2) Floodwaters damaged the land after it was irrigated and it is economically infeasible to restore the damaged acreage to irrigation use ([A.R.S. § 45-437.02](#)); and
- 3) There is a limiting condition on the retired acreage and substituting other acreage will reduce this condition and facilitate implementing more efficient irrigation practices ([A.R.S. § 45-437.03](#)).

In an AMA, someone can pursue this substitution when:

- 1) The lands to be retired were irrigated at any time during the five years preceding January 1, 1980 but were damaged by floodwaters after being irrigated and it is economically infeasible to restore the flood damaged acres for irrigation. Additionally, the owner must have an irrigation grandfathered right for the flood damaged acres ([A.R.S. § 45-465.01](#)); and
- 2) There is a limiting condition on the retired acreage that has an irrigation grandfathered right and substituting other acreage (to which this right is not appurtenant) will reduce this condition and facilitate implementing more efficient irrigation practices. The retired acreage will relinquish its irrigation grandfathered rights, which will then become appurtenant to the substitute acreage ([A.R.S. § 45-465.02](#)).

There are no statutory provisions on substituting acreage for irrigation outside of an INA and AMA.

Provisions

Flood Damaged Lands

1. Allows someone who owns lands that can be legally irrigated to permanently retire acreage from irrigation and substitute the same amount of acreage in a contiguous farming unit if they can demonstrate to the ADWR Director that:
 - a) The irrigated acreage was damaged by floodwaters after being irrigated; and
 - b) It is not economically feasible to restore the flood damage acreage to irrigation use.
2. Declares that the substitute acreage does not affect the person's existing or vested rights to use water.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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3. Limits the water diverted or used after acreage substitution to the amount of that person's vested water rights that existed when the substitution occurred.
4. Defines *floodwaters*.

Lands with a Limiting Condition

5. Allows someone who owns lands that are contiguous and can be legally irrigated to permanently retired acreage from irrigation and substitute the same amount of acreage if they can demonstrate to the ADWR Director that:
 - a) A limiting condition that impedes implementing efficient irrigation practices exists on the retired acreage;
 - b) Substituting acreage will substantially reduce the limiting condition and facilitate implementation of efficient irrigation practices;
 - c) The substitute acreage is within the same farm unit as other irrigated acreage;
 - d) If the retired acreage is within an irrigation district's exterior boundaries, the substitute acreage must also be within those same boundaries;
 - e) The substitute acreage's land area does not exceed the retired acreage's land area; and
 - f) The land acreage is contiguous.
6. Declares that the substitute acreage does not affect the person's existing or vested rights to use water.
7. Limits the water diverted or used after acreage substitution to the amount of that person's vested water rights that existed when the substitution occurred.
8. Defines *limiting condition*.

Amendments

Committee on Natural Resources, Energy & Water

1. Requires someone who retires land from irrigation and substitutes different land to notify the ADWR Director, instead of seeking the ADWR Director's approval.
2. Removes the requirement that the land that will be retired must be lawfully or legally irrigated.
3. Allows someone to substitute acreage from the same *farm unit* instead of *farming unit*.
4. Defines *farm unit*.
5. Eliminates the requirement for someone to follow the process outlined in the sever and transfer statutes when substituting acreage.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA 8-5-0-0

HB 2675: water conservation notice; no abandonment

Sponsor: Representative Griffin, LD 14

Caucus & COW

Overview

Allows a water rights holder to file a conservation plan notice that describes conservation measures that they have or will implement and will exempt their water rights from claims of abandonment or forfeiture for up to 40 years.

History

Surface waters in Arizona belong to the public and are subject to appropriation. A person, the state or its political subdivisions can appropriate unappropriated waters for many uses. With certain exceptions, when a water right holder ceases or does not use the water for five successive years, the right ceases and the water reverts to the public and is again subject to prior appropriation ([A.R.S. § 45-141](#)).

If the Arizona Department of Water Resources (ADWR) Director determines that a water right may have reverted to the public because of non-use, the water right holder will be asked to explain why that right should not be considered relinquished at an administrative hearing. Statute allows certain reasons to be sufficient cause for non-use, including drought, active service in the U.S. armed forces during a military crisis and laws imposing land or water use restrictions or production quotas ([A.R.S. § 45-189](#)).

Provisions

1. Allows a water rights holder to file a conservation plan notice with the ADWR Director. (Sec. 4)
2. Requires this notice to include:
 - a) The name and address of the water rights owner subject to this plan;
 - b) A summary of all water rights that are subject to this plan;
 - c) The place and purpose of use for the identified water rights and the current and historical use;
 - d) A description of any water conservation measures that have been planned or implemented; and
 - e) Any other information the ADWR Director deems necessary. (Sec. 4)
3. Declares that, upon filing this notice, the water rights prescribed in it are not subject to a claim of abandonment or non-use. (Sec. 4)
4. Forbids someone from accruing long-term storage credits for any water prescribed in the notice. (Sec. 4)
5. Allows the ADWR Director to grant 10-year extensions for the notice up to 40 years after the date it was originally filed. (Sec. 4)
6. States that conserving water pursuant to this notice does not constitute abandonment or forfeiture of water conserved. (Sec. 1 and 2)
7. Specifies that water rights subject to a filed notice are sufficient cause for non-use when determining whether a water right has been relinquished. (Sec. 3)
8. Makes technical and conforming changes. (Sec. 3)

Amendments

Committee on Natural Resources, Energy & Water

1. Clarifies that someone can only file a conservation plan notice beginning on the effective date of this law.
2. Expands the requirements for what is contained in conservation plan notice to include statements indicating that this plan is voluntary and temporary, that it is intended to result in a temporary reduction in water use or diversion of water and that the activities will contribute to the practical and economical management of surface water.
3. Specifies that conserving water pursuant to this conservation plan does not constitute an abandonment or forfeiture of water conserved.
4. Establishes an initial duration for this plan of up to 10 years and allows someone file a subsequent notice for a period of up to 10 years.
5. Contains a legislative intent clause declaring that the Legislature intends for this act to apply prospectively and that it does not affect vested rights or claims.
6. Makes conforming changes.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA 13-0-0-0

HB 2677: groundwater replenishment reserves

Sponsor: Representative Griffin, LD 14

Caucus & COW

Overview

Modifies the formula that the Central Arizona Groundwater Replenishment District (CAGRD) uses to calculate its required replenishment reserve.

History

CAGRD is a division of the Central Arizona Water Conservation District that engages in groundwater replenishment. CAGRD's membership is voluntary and limited to municipalities, water companies, subdivisions or homeowners' associations in the Phoenix, Pinal and Tucson Active Management Areas (AMAs). Enrollment in CAGRD requires members to subject their lands to replenishment assessments and fees. In return, CAGRD must secure renewable water supplies to replace the groundwater its members use. Additionally, enrollment in CAGRD allows members to meet the requirements for a certificate or designation of assured water supply ([A.R.S. § 48-3771 et seq.](#)).

CAGRD must establish and maintain a replenishment reserve of long-term storage credits (LTSCs) to ensure fulfillment of its replenishment obligations. LTSCs are accrued through permitted facilities that store water in an aquifer through direct or indirect recharge. Credits are generated when water is added to an aquifer. The holder of those credits can later withdraw the stored water from the aquifer. The size of this replenishment reserve is based on a reserve target for each AMA, which is calculated by the following statutory formula:

- 1) Begin with the projected 100-year replenishment obligation for AMA;
- 2) Subtract the total volume of water CAGRD will use to meet its replenishment obligations for that AMA, according to its plan of operation; and
- 3) Multiply the result by 20% ([A.R.S. § 48-3772\(E\)](#)).

CAGRD must include this replenishment reserve in the plan of operation that it submits to the Arizona Department of Water Resource Director every ten years ([A.R.S. § 45-576.02](#)). For [its 2015 plan of operation](#), CAGRD reported a target replenishment reserve of about 764,500 acre-feet.

Provisions

1. Modifies the formula for calculating CAGRD's replenishment reserve as follows:
 - a) For each AMA, add together the annual projected replenishment obligation for each of the 100 years following the submission of CAGRD's plan of operation;
 - b) Subtract from the sum of the AMA's projected 100-year replenishment obligation and the total volume of water CAGRD will use to meet its replenishment obligations for that AMA, according to its plan of operation; and
 - c) Multiply the results by 20% (Sec. 2)
2. Redefines *projected replenishment obligation* as CAGRD's total projected annual groundwater replenishment obligation for each AMA at build-out for each of the 100 years following the submission of its plan of operation. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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3. Makes technical changes. (Sec. 2)

Amendments

Committee on Natural Resources, Energy Water

1. Modifies the formula for calculating CAGRD's replenishment reserve as follows:
 - a) For each AMA, add together the annual projected replenishment obligation for each of the 100 years following the submission of CAGRD's plan of operation.
 - b) Subtract the total volume of water CAGRD will use to meet its replenishment obligations for that AMA, according to its plan of operation from the sum of the AMA's projected 100-year replenishment obligation,
 - c) Multiply the results by 20%.
2. Removes the requirement that *projected replenishment obligation* be based on AMA build-out.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA 12-0-0-1-0

HB 2747: aquifer protection permits; injection wells.

Sponsor: Representative Griffin, LD 14

Caucus & COW

Overview

Exempts class V wells that have permits under the Arizona Department of Environmental Quality's (ADEQ) or U.S. Environmental Protection Agency's (EPA) Underground Injection Control (UIC) permit programs from aquifer protection permit requirements.

History

The federal Safe Drinking Water Act (SDWA) contains a framework UIC program, which regulates the injection of wastes into groundwater. (Underground injection of natural gas for storage and fluids or propping agents for hydraulic fracturing are excluded from this framework.) The EPA and state governments implement this program ([42 U.S.C. § 300f et seq.](#)). To that end, statute directs the ADEQ Director to adopt a UIC permit program outlined in the SDWA ([A.R.S. § 49-203](#)).

As part of its UIC program, the EPA has adopted regulations for different types of injection wells. Class V wells inject non-hazardous fluids underground, usually to dispose of wastes into or above underground drinking water sources (40 Code of Federal Regulations sections [144.6](#), [144.80](#), and [144.81](#)). The EPA requires permits for certain kinds of class V wells, such as those that may endanger an underground source of drinking water ([40 Code of Federal Regulations section 144.84](#)). Additionally, a class V well is exempt from ADEQ's UIC permit program if it has an aquifer protection permit and that permit satisfies the EPA's UIC control requirements (A.R.S. §§ [49-250](#) and [49-257.01](#)). (Statute requires anyone who discharges underground to obtain an aquifer protection permit from ADEQ unless the activities qualify for an exemption or do not create a migration of pollutants directly to the aquifer or the vadose zone ([A.R.S. § 49-241](#)).)

Provisions

1. Exempts class V wells that have permits under ADEQ's or EPA's UIC permit programs from the aquifer protection permit requirements. (Sec. 1 and 2)
2. Makes technical and conforming changes. (Sec. 1 and 2)

Amendments

Committee on Natural Resources, Energy & Water

1. Allows ADEQ to establish a UIC permit program, instead of directing the agency to establish this program.
2. Stipulates that when an appeal is filed for Arizona Pollutant Discharge Elimination System Program permit, any contested provisions or provisions that cannot be severed from the contested provisions are automatically stayed only while the appeal is pending before the Water Quality Appeals Board.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA 6-5-0-2-0

HB 2749: endangered species conservation; confidential information

Sponsor: Representative Griffin, LD 14

Caucus & COW

Overview

Requires information collected by state agencies from a private landowner as part of an endangered species survey or other species research or conservation plan to be confidential and establishes civil penalties for violations.

History

The Endangered Species Act (Act) is administered by the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service and protects and helps recover vulnerable species and their habitats. Under the Act, species may be listed as either "endangered" or "threatened" based on their present status and threats to their existence ([16 U.S.C. § 1533](#)). The Act protects endangered and threatened species from being taken or harmed, which includes significant habitat modification or degradation that may kill or injure them ([16 U.S.C. § 1538](#)). Those who want to develop an area where a listed species lives can apply for a permit that will allow them to incidentally injure or kill that species if they have developed a *habitat conservation plan*, which must:

- 1) Assess the potential impact to these species from this activity;
- 2) Detail actions that will be taken to minimize and mitigate those impacts;
- 3) Describe funding that will be available to implement these actions; and
- 4) Explain alternative actions that had been considered and why these actions were not taken ([16 U.S.C. § 1539](#)).

Additionally, the FWS keeps a list of species that may qualify for listing as "endangered" or "threatened" but that are at a lower priority. Species on this "candidate" list are not protected by the Act. [Candidate conservation agreements](#) are voluntary agreements between FWS and other parties that detail efforts that will be implemented to address threats to the candidate species. Similarly, [candidate conservation agreements with assurances](#) offer participating land owners assurances in a permit that if they implement certain conservation measures, they will not be required to implement additional measures.

Provisions

1. Requires information collected by state agencies from a private landowner as part of an endangered species survey or other species research or conservation plan to be confidential. (Sec. 1)
2. Forbids information on the specific location, identification or quantity of an animal or plant species from being disclosed to any person, including state or federal agencies. (Sec. 1)
3. Limits the state agency to disclosing the above information to the person that provided the information, unless that person consents to full or specified partial disclosure.
4. Establishes a civil penalty of \$25,000 for each violation of the property owner confidentiality requirements. (Sec. 1)
5. Defines *confidential information*, *conservation plan*, *endangered species*, *endangered species act*, *property owner*, *research*, *species* and *state agency*. (Sec. 1)
6. Contains a retroactivity clause of January 1, 2020. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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Amendments

Committee on Natural Resources, Energy & Water

1. Clarifies that *confidential information* means any data collected about a landowner, species or property location from a private landowner or property owner by a state agency or municipal agency or an entity acting on the agency's behalf.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: PS DP 4-3-0-0

HB 2140: prisoner injuries; monetary judgments; reimbursement

Sponsor: Representative Kern, LD 20
Caucus & COW

Overview

States that a current or previously incarcerated person is required to pay medical care costs before receiving a monetary judgment.

History

Under current law, if the monetary judgment is against Arizona, a political subdivision of Arizona, any prison, jail or correctional facility or any officer or agent of a prison, jail or correctional facility, a monetary judgment may not be paid to a person who is or was previously incarcerated in the Arizona Department of Corrections before all restitution and incarceration costs owed by the person are paid ([A.R.S. § 12-1721](#)).

Provisions

1. States that a current or previously incarcerated person is required to pay medical care costs before receiving a monetary judgment against Arizona, a political subdivision of Arizona, any prison, jail or correctional facility or any officer or agent of a prison, jail or correctional facility. (Sec. 1)
2. Prioritizes outstanding restitution and incarceration costs to be paid by a monetary judgment before medical care costs. (Sec. 1)
3. Defines *medical care costs*. (Sec. 1)
4. Contains a conforming change. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: PS DP 7-0-0-0

HB 2280: fire protection systems; inspections

Sponsor: Representative Campbell, LD 1

Caucus & COW

Overview

Requires inspections of fire protection systems to be performed by a person certified by an entity accredited by the American National Standards Institute (ANSI).

History

ANSI is a private, nonprofit organization comprised of government agencies, organizations, companies, academic and international bodies and individuals. ANSI promotes and controls voluntary consensus standards for products, services, processes, systems and personnel. This includes fire protection systems and inspections. [NFPA 25-2020](#) is the baseline for inspection, testing and maintenance of water-based fire protection systems. Compliance helps maximize system integrity to avoid failure and ensure fast, effective response in a fire emergency ([ANSI](#)).

Provisions

1. Requires inspections of fire protection systems in cities, towns and counties that include fire dampers, smoke dampers or a combination of both to be performed by a person certified by an entity accredited by ANSI to perform fire protection system inspections. (Secs. 1 & 2)
2. Mandates each city, town or county that has adopted a fire code to adopt a regulation to enforce the fire protection system inspection requirements by January 1, 2021. (Sec. 3)
3. Contains technical changes. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: PS DP 5-1-0-1 | APPROP 9-2-0-0

HB 2415: appropriation; southern border region enforcement

Sponsor: Representative Dunn, LD 13

Caucus & COW

Overview

Appropriates \$1,100,000 from the state General Fund (GF) in FY2021 to the Department of Public Safety (DPS) to distribute to various counties to procure equipment for southern Arizona border region enforcement.

History

[DPS](#) is responsible for creating and coordinating services for use by local law enforcement agencies in protecting the public's safety. Currently, DPS is required to formulate plans with a view to establishing modern services for prevention of crime, apprehension of violators, training law enforcement personnel and the promotion of public safety. ([A.R.S. § 41-1711](#)).

The divisions located within DPS consists of the Arizona Highway Patrol division, Narcotics Enforcement and Criminal Investigation division, Scientific Criminal Analysis division and Training and Education division ([A.R.S. § 41-1712](#)).

Provisions

1. Appropriates \$1,100,000 from the state GF in FY2021 to DPS to distribute to Cochise, Pima, Santa Cruz and Yuma county sheriffs to procure cameras and related equipment, software and services for southern Arizona border region enforcement.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: PS DPA 6-0-0-1 | APPROP DPA 11-0-0-0

HB 2422: coordinated reentry planning services programs

Sponsor: Representative Barto, LD 15

Caucus & COW

Overview

Allows a county to establish a coordinated reentry planning services program and appropriates monies into the coordinated reentry planning services program fund.

History

[The Arizona Criminal Justice Commission](#) (AJCJ) was created in 1982 to carry out various coordinating, monitoring and reporting functions regarding the administration and management of criminal justice programs in Arizona. The Commission is comprised of 19 members who represent various elements of the criminal justice system in Arizona. 14 of the 19 members are appointed by the Governor and are municipal, county or elected officials.

Statute outlines the powers and duties of ACJC, which includes monitoring the progress and implementation of new and continuing criminal justice legislation, facilitating research among criminal justice agencies and maintaining information, facilitating coordinated statewide efforts to improve criminal justice information and data sharing and preparing a biennial criminal justice system review report for the Governor ([A.R.S. § 41-2405](#)).

Provisions

1. Allows a county to establish a coordinated reentry planning services program (program) within a county jail to screen and assess individuals who are booked into a county jail and to connect those individuals with behavioral health and substance abuse disorder treatment providers as soon as possible in the criminal justice process. (Sec. 1)
2. Requires the program to:
 - a) Allow entities to access and use a cross-recidivism tracking database (database);
 - b) Allow entities to work in conjunction with counties, cities, towns and other Arizona political subdivisions and Superior Courts to create an information exchange mechanism;
 - c) Allow county and community-wide collaborative efforts to be established and maintained for jail reentry planning services;
 - d) Establish working agreements with coalition partners; and
 - e) Use the database to record baseline and ongoing statistics for identified needs, referrals and future recidivism of reentry coordination participants. (Sec. 1)
3. Mandates a county that establishes the program to establish a committee to develop the program's policies and procedures and outlines the committee membership requirements. (Sec.1)
4. Establishes the program fund to provide monies to counties that establish the program. (Sec. 1)
5. Directs ACJC to administer the fund, which consists of appropriated monies that are subject to legislative appropriations. (Sec. 1)
6. Appropriates \$8,000,000 from the state General Fund (GF) in FY2021 and \$7,000,000 in FY2022 and FY2023 to the program fund. (Sec. 2)
7. Allocates \$8,000,000 from the program fund in FY2021 to a county with a population of not more than 1.5 million people to establish the program and allows up to \$1,000,000 of the total appropriation to be used to establish cross-system recidivism tracking databases. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

8. Allocates \$7,000,000 from the program fund in FY2022 and FY2023 to a county with a population of not more than 1.5 million people that has established or to establish the program. (Sec. 2)
9. States, for each appropriation, each eligible county will receive a proportional share on the appropriations based on the county's population. (Sec. 2)

Amendments

Committee on Public Safety

1. Adds a presiding superior court judge or their designee to the list of the committee members.

Committee on Appropriations

1. Adds a presiding superior court judge or their designee to the list of the committee members.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: PS DP 7-0-0-0 | JUD DP 10-0-0-0

HB 2444: security guards; training instructors; qualifications

Sponsor: Representative Kern, LD 20

Committee on Judiciary

Overview

Expands instances in which an associate, security guard, security guard training instructor or firearms safety training instructor applicant would not receive a registration certificate.

History

An individual who applies to be an associate or a security guard must meet certain requirements, such as age and residency, to receive a registration certificate. Currently, an applicant must not have been adjudicated mentally incompetent or have been found to constitute a danger to themselves or others as part of the requirements ([A.R.S. § 32-2622](#)).

Similarly, an individual who applies to be a security guard training instructor or a firearms safety training instructor is required to meet certain requirements to receive a registration certificate. The applicant may receive a registration certificate so long as the applicant has not been adjudicated as mentally incompetent, found to constitute a danger to self or others, found incompetent or found guilty except insane and has met all other requirements ([A.R.S. § 32-2625](#)).

Provisions

1. Prohibits an associate or security guard applicant from receiving a registration certificate if the applicant has a persistent or acute disability or a grave disability, has been found incompetent or has been found guilty except insane. (Sec. 1)
2. Prohibits a security guard training instructor or firearms safety training instructor applicant from receiving a registration certificate if the applicant has a persistent or acute disability or a grave disability. (Sec. 2)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: PS DPA 7-0-0-0

HB 2469: law enforcement officers; additional benefits.

Sponsor: Representative Payne, LD 21
Caucus & COW

Overview

Requires the surviving spouse of a law enforcement officer who was killed in the line of duty to continue to receive death benefits until the surviving spouse's death.

History

In the event of an injury causing death, [statute](#) outlines how the death benefit is paid and the death benefit distribution amount ([A.R.S. § 23-1046](#)).

The surviving spouse of a deceased retired Public Safety Personnel Retirement System member (member) must be paid a surviving spouse's pension if the spouse was married to the member for at least two consecutive years at the time of the member's death ([A.R.S. § 38-846](#)).

A surviving spouse, or surviving dependent, of a deceased law enforcement officer is also entitled to receive payments for health insurance premiums from public monies of the employer of the officer if the officer was killed in the line of duty or died from injuries suffered in the line of duty ([A.R.S. § 38-1114](#)).

Provisions

1. Requires the surviving spouse of a law enforcement officer who was killed in the line of duty to continue to receive death benefits until the surviving spouse's death regardless of whether the surviving spouse remarries. (Sec. 1)
2. Directs a surviving spouse or dependent, if there is not a surviving spouse, to receive payment for all the deceased member's unused sick leave in addition to any other benefits that a surviving spouse or dependent is eligible to receive. (Secs. 2 and 4).
3. Mandates the retired member's employer to continue to pay the employer portion of the health care benefits that was being paid by the employer on the date that the member's disability pension commenced until the retired member is eligible for Medicare if a member is receiving an accidental, catastrophic or total and permanent disability pension (Secs. 3 and 5)
4. Requires family coverage to include coverage for the additional new family members if a surviving spouse remarries. (Sec. 6)
5. Defines *killed in the line of duty* and *law enforcement officer*. (Sec. 1)
6. Makes technical changes. (Secs. 1, 3, 4, 5)
7. Makes conforming changes. (Sec. 6)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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Amendments

Committee on Public Safety

1. Removes the requirement that the retired member's employer must continue to pay the employer portion of the health care benefits that was being paid by the employer until the retired member is eligible for Medicare if the member is receiving an accidental, catastrophic or total and permanent disability pension.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DP 7-0-0-0

HB 2601: residential utility consumer office; continuation

Sponsor: Representative Roberts, LD 11

Caucus & COW

Overview

Continues the Residential Utility Consumer Office (RUCO) for eight years.

History

Pursuant to [A.R.S. § 41-2953](#), the Joint Legislative Audit Committee assigned the sunset review of RUCO to the Senate Commerce and the House of Representatives Regulatory Affairs Committee of Reference (COR). [The Senate Commerce COR](#) met on January 14, 2020 and recommended that RUCO be continued for eight years, until July 1, 2028. [The House Regulatory Affairs COR](#) met on January 16, 2020 and recommended that RUCO be continued for eight years, until July 1, 2028.

[Laws 1983, Chapter 308](#) established RUCO to represent the interests of residential consumers and advocate on their behalf in rate-related regulatory proceedings that involve public services corporations before the Arizona Corporation Commission (ACC). The ACC sets the rates for electricity, gas, telecommunications, water and sewer utilities. RUCO conducts a preliminary review of every utility rate increase application filed with the ACC and determines the potential impact on residential consumers. The Director of RUCO is appointed and serves at the pleasure of the Governor upon confirmation by the Senate. RUCO was most recently continued for 10 years pursuant to [Laws 2010, Chapter 16](#).

Provisions

1. Continues, retroactive to July 1, 2020, RUCO until July 1, 2028. (Sec. 2, 4)
2. Repeals RUCO on January 1, 2029. (Sec. 2)
3. Contains a legislative intent clause. (Sec. 3)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DP 7-0-0-0

HB 2643: insurance; optometrists; contracts; covered services

Sponsor: Representative Weninger, LD 17

Caucus & COW

Overview

States that a contract between an optometrist and a specified health insurer, cannot require the optometrist to provide services based on a fee set by the specified health insurer unless the fee applies to a covered service.

History

An Optometric Service Corporation (Corporation) is a corporation organized for the purpose of establishing, maintaining and operating nonprofit optometric service plans. The Corporation contracts with general, specialized or restricted practice optometrists to provide subscribers with optometric services ([A.R.S. § 20-822](#)).

A Health Care Services Organization (Organization) is a person who undertakes the conducting of one or more health care plans. An Organization includes a provider sponsored health care services organization ([A.R.S. § 20-1051](#)).

Statute outlines the scope and format of a policy with a Disability Insurer, Group Disability Insurer or a Blanket Disability Insurer (Disability Insurers) ([A.R.S. § 20-1342](#)) & ([A.R.S. § 20-1401](#)).

Provisions

1. States that a contract entered into or renewed by January 1, 2021, between an optometrist and:
 - a) A Corporation cannot require the optometrist to provide services to an individual covered under a subscription contract based on a fee set by the Corporation unless the fee applies to a covered service;
 - b) An Organization cannot require the optometrist to provide services to an individual covered under an evidence of coverage based on a fee set by the Organization unless the fee applies to a covered service; and
 - c) Disability Insurers cannot require the optometrist to provide services to an individual covered under a Disability Insurer's policy based on a fee set by the Disability Insurers unless the fee applies to a covered service. (Sec. 1-4)
2. States that the ability of a Corporation, an Organization or Disability Insurers to establish optometric benefits for services offered by plans that are administered but not insured by a Corporation, an Organization or Disability Insurers is not restricted. (Sec. 1-4)
3. Defines *covered service* as a service for which any reimbursement is available under a subscription contract, an evidence of coverage or Disability Insurers policy without regard to contractual limitations. (Sec. 1-4)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DP 7-0-0-0

HB 2685: government assistance; point of contact

Sponsor: Representative Toma, LD 22

Caucus & COW

Overview

Requires any written communication between a city, town or state agency and a person to include contact information for the employee concerning the specified communications.

History

Each state agency must publish the names of employees, who are designated by the agency to assist members of the public, in the register, the state directory and the Maricopa County telephone directory ([A.R.S. 41-1006](#)).

Provisions

1. Requires a city, town or state agency, in a written communication, to provide the name, telephone number and email address of an authorized employee who is able to provide information about the communication if the communication:
 - a) Demands payment of a tax, fee penalty, fine or assessment; or
 - b) Denies an application for a permit or license that is issued by the city, town or state agency. (Sec. 1, 2)
2. Requires an authorized employee, after any of the aforementioned communications, to reply within five business days upon receiving a communication from the recipient. (Sec. 1, 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TECH DPA 5-0-0-2 | Approp DP 9-0-0-2

HB 2262: appropriations; broadband grants

Sponsor: Representative Espinoza, LD 19

Caucus & COW

Overview

Appropriates \$5,000,000 from the state General Fund for each of the fiscal years, FY 2021, FY 2022 and FY 2023, to the Arizona Commerce Authority (ACA) to provide broadband grants.

History

Broadband service is defined as providing access and transport to the internet, computer processing, information storage or protocol conversion at a rate of at least one megabit per second in either the upstream or downstream direction, as established by the Federal Communications Commission. Broadband service does not include information content or service applications provided over the access service or any intrastate service that was subject to a tariff ([A.R.S. § 28-7381](#)).

[Laws 2019, Chapter 263](#) appropriated \$3,000,000 from the state General Fund for FY 2020 to the ACA to provide rural broadband grants.

Provisions

1. Appropriates \$5,000,000 from the state General Fund for each of the fiscal years, FY 2021, FY 2022 and FY 2023, to the ACA to provide broadband grants. (Sec. 1)
2. Directs the ACA to submit a report to JLBC on a plan to distributing the grants on or before January 31 in the following years: 2021, 2022 and 2023. (Sec. 1)
3. Exempts the appropriations from lapsing. (Sec. 1)

Amendments

Committee on Technology

1. Increases the appropriated amount to \$10,000,000.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 9-0-0-0

HB 2034: school bus drivers; license requirements

Sponsor: Representative Fillmore, LD 16

Caucus & COW

Overview

Modifies the requirements for school bus driver licensure and certification.

History

A person is prohibited from operating a school bus unless the person possesses:

- 1) The appropriated commercial driver license (CDL) class for the size of school bus being operated, issued by the Arizona Department of Transportation (ADOT);
- 2) A bus endorsement, issued by ADOT; and
- 3) A school bus certification issued by the Arizona Department of Public Safety (DPS).

To be certified by as a school bus driver a person is required to meet and maintain the minimum standard prescribed by statute and administrative rule adopted by DPS in consultation with the school bus advisory council ([A.R.S. § 28-3228](#)).

Pursuant to [13 A.A.C. 13 Article 1, R13-13-102](#), an applicant for a school bus certification must possess a current Arizona CDL.

Provisions

1. Allows a person to operate a school bus if the person possesses a CDL issued by another state and will be driving for a school district that is adjacent to that state. (Sec. 1)
2. Requires the applicant for a school bus driver certification to possess a commercial driver license issues by ADOT or another state if the applicant will be driving for a school district that is adjacent to that state. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DPA 8-0-0-1 | APPROP DP 10-0-0-1

HB 2056: appropriation; Tonto Basin bridge

Sponsor: Representative Cook, LD 8

Caucus & COW

Overview

Provides funding to the Arizona Department of Transportation (ADOT) to construct a bridge in the Tonto Basin at the Bar X Crossing in Gila County.

History

[Laws 1973, Chapter 146](#) established ADOT to provide for an integrated and balanced state transportation system with a director responsible for the department's administration ([A.R.S. § 28-331](#)). ADOT has exclusive control and jurisdiction over state highways, state routes, state owned airports and all state-owned transportation systems or modes are vested in ADOT.

The duties of ADOT are as follows: 1) register motor vehicles and aircraft, license drivers, collect revenues, enforce motor vehicle and aviation statutes and perform related functions; 2) do multimodal state transportation planning, cooperate and coordinate transportation planning with local governments and establish an annually updated priority program of capital improvements for all transportation modes; 3) design and construct transportation facilities in accordance with a priority plan and maintain and operate state highways, state owned airports and state public transportation systems; 4) investigate new transportation systems and cooperate with and advise local governments concerning the development and operation of public transit systems; and 5) have administrative jurisdiction of transportation safety programs and implement them in accordance with applicable law ([A.R.S. § 28-332](#)).

Provisions

1. Appropriates \$20,000,000 from the General Fund in FY 2021 to ADOT to construct a bridge in the Tonto Basin at the Bar X Crossing in Gila County. (Sec. 1)

Amendments

Committee on Transportation

1. Decreases the amount appropriated from \$20,000,000 to \$15,000,000.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 8-0-0-1 | APPROP DP 11-0-0-0

HB2198: appropriation; Ganado School Loop Road

Sponsor: Representative Teller, LD 7

Caucus & COW

Overview

Provides funding to the Arizona Department of Transportation (ADOT) to distribute to Apache County for the construction repairs and upgrades of County Road C-420 Ganado School Loop Road.

History

[Laws 1973, Chapter 146](#) established ADOT to provide for an integrated and balanced state transportation system with a director responsible for the department's administration ([A.R.S. § 28-331](#)). ADOT has exclusive control and jurisdiction over state highways, state routes, state owned airports and all state- owned transportation systems or modes are vested in ADOT.

The duties of ADOT are as follows: 1) register motor vehicles and aircraft, license drivers, collect revenues, enforce motor vehicle and aviation statutes and perform related functions; 2) do multimodal state transportation planning, cooperate and coordinate transportation planning with local governments and establish an annually updated priority program of capital improvements for all transportation modes; 3) design and construct transportation facilities in accordance with a priority plan and maintain and operate state highways, state owned airports and state public transportation systems; 4) investigate new transportation systems and cooperate with and advise local governments concerning the development and operation of public transit systems; and 5) have administrative jurisdiction of transportation safety programs and implement them in accordance with applicable law ([A.R.S. § 28-332](#)).

Pursuant to [A.R.S. § 28-6705](#), the board of supervisors may spend public monies for maintenance of public roads and streets other than legally designated state and county highways located without the limits of an incorporated city or town.

Provisions

1. Appropriates \$908,300 from the General Fund in FY 2021 to ADOT to distribute to Apache County for the construction repairs and upgrades of County Road C-420 Ganado School Loop Road.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 9-0-0-0 | APPROP DP 11-0-0-0

HB 2266: appropriations; extended bus routes

Sponsor: Representative Townsend, LD 16

Caucus & COW

Overview

Provides funding to the Arizona Department of Transportation (ADOT) to distribute to Valley Metro Regional Public Transportation Authority (RPTA) to extend bus routes to Apache Junction.

History

Pursuant to [A.R.S. §§ 48-5102, 48-5105](#), Valley Metro RPTA is established with a board of directors. The board is permitted to contract with a public agency or with a person on the terms and conditions the board finds in its best interest to operate a regional bus system ([A.R.S. § 48-5141](#)).

[Laws 1973, Chapter 146](#) established ADOT to provide for an integrated and balanced state transportation system with a director responsible for the Department's administration ([A.R.S. § 28-331](#)). ADOT has exclusive control and jurisdiction over state highways, state routes, state owned airports and all state-owned transportation systems or modes are vested in ADOT. The duties of ADOT include investigating new transportation systems and cooperating with and advising local governments concerning the development and operation of public transit systems ([A.R.S. § 28-332](#)).

Provisions

1. Appropriates \$200,000 from the General Fund in FY 2021 and FY 2022 to ADOT to distribute to Valley Metro RPTA to extend bus routes to Apache Junction. (Sec. 1)
2. Requires ADOT, by December 31, 2022, to submit an assessment of the long-term efficacy of extending bus routes and a recommendation for long-term funding of the bus routes to the Governor, President of the Senate, Speaker of the House of Representatives and Secretary of State. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 6-3-0-0

HB 2282: motor carrier safety violations; penalties

Sponsor: Representative Campbell, LD 1

Caucus & COW

Overview

Modifies the penalties for motor carrier safety violations.

History

In addition to other civil penalties imposed, a motor carrier, shipper or manufacturer who operates or causes to be operated a commercial motor vehicle in violation of or knowingly violates motor carrier safety requirements is guilty of:

- 1) A class 2 misdemeanor ([4 months/up to \\$750 plus surcharges](#)) for an initial violation;
- 2) A class 1 misdemeanor ([6 months/up to \\$2500 plus surcharges](#)) for a second violation; and
- 3) A class 6 felony ([1 year/up to \\$150,000 plus surcharges](#)) for any subsequent violation. ([A.R.S. § 28-5240](#)).

Provisions

1. Modifies the penalty for an initial violation to a civil penalty of \$1,000, rather than an class 2 misdemeanor ([4 months/up to \\$750 plus surcharges](#)). (Sec. 1)
2. Specifies that a second violation be within six months after the initial violation. (Sec. 1)
3. Specifies that any subsequent violation be within one year after the preceding violation. (Sec. 1)
4. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 5-4-0-0 | APPROP DP 6-4-0-1

[HB 2442](#): highway safety fee repeal

Sponsor: Representative Biasiucci, LD 5
Caucus & COW

Overview

Repeals the highway safety fee.

History

[Laws 2018, Chapter 265](#) established the highway safety fee. At the time of registration each year of a vehicle, the registering officer is required to collect a highway safety fee in an amount to be determined each fiscal year by the director of the Arizona Department of Transportation. The director must deposit all monies collected from the highway safety fee in the Arizona Highway Patrol Fund ([A.R.S. § 28-2007](#)). [Laws 2019, chapter 268](#) provided that the highway safety fee sunset beginning July 1, 2021.

The highway safety fee is currently \$32.

Provisions

1. Repeals the highway safety fee. (Sec. 1)
2. Makes a conforming change. (Sec. 2)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☒ [Fiscal Note](#)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DPA 5-4-0-0

HB 2473: criminal speeding

Sponsor: Representative Payne, LD 21
Caucus & COW

Overview

Modifies the classification for excessive speed.

History

Pursuant to [A.R.S. § 28-701.02](#), a person is prohibited from exceeding:

- 1) 35 miles per hour (MPH) approaching a school crossing;
- 2) The posted speed limit in a business or residential district by more than 20 MPH, or if no speed limit is posted, by more than 45 MPH;
- 3) 85 MPH in other locations.

A person who commits a violation is guilty of a class 3 misdemeanor (30 days/up to \$500 plus surcharges).

Provisions

1. Prohibits a person from exceeding the posted speed limit by more than 20 MPH in locations other than a business or residential district or school crossing zone, rather than exceeding the 85 MPH cap. (Sec. 1)

Amendments

Committee on Transportation

1. Prohibits a person from exceeding 90 MPH in locations other than a business or residential district or school crossing zone.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DPA 9-0-0-0

HB 2485: parked vehicles blocking sidewalk; prohibition

Sponsor: Representative Carroll, LD 22

Caucus & COW

Overview

Specifies that the prohibition on a vehicle from stopping, standing or parking on a sidewalk include any part of or an attachment to the vehicle.

History

Except if necessary to avoid conflict with other traffic or if in compliance with the law or direction of a police officer or traffic control device, a person is prohibited from stopping, standing or parking a vehicle in any of the following places:

- 1) On a sidewalk;
- 2) In front of a public or private drive way, with an exception;
- 3) Within an intersection;
- 4) Within 15 feet of a fire hydrant;
- 5) On a crosswalk;
- 6) Within 20 feet of a crosswalk at an intersection;
- 7) Within 30 feet on the approach to any flashing beacon, stop sign, yield sign or traffic control signal located at the side of a roadway;
- 8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the end of a safety zone, with an exception;
- 9) Within 50 feet of the nearest rail or a railroad crossing or within eight feet six inches of the center of any railroad track, with an exception;
- 10) Within 20 feet of the driveway entrance to a fire station and on the side of a street opposite the entrance to any fire station within 75 feet of the entrance when properly posted;
- 11) Alongside or opposite a street excavation or obstruction when stopping, standing or parking would obstruct traffic;
- 12) On the roadway side of a vehicle stopped or parked at the edge or curb of a street;
- 13) On a bridge or other elevated structure on a highway or within a highway tunnel;
- 14) At any place where official signs prohibit standing or stopping; and
- 15) On a controlled access highway, with exceptions ([A.R.S. § 28-873](#)).

Statute prescribes a civil penalty of no more than \$250 for a violation. ([A.R.S. §§ 28-121, 28-1598](#)).

Provisions

1. Prohibits any part of or an attachment to a vehicle, including a hitch or trailer, from blocking an area of a sidewalk and impeding continuous pedestrian use of the sidewalk in a manner that is not consistent with the Americans with Disabilities Act. (Sec. 1)
2. Prescribes a civil penalty of at least \$500, rather than no more than \$250 for a sidewalk violation. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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Amendments

Committee on Transportation

1. Restores the civil penalty to no more than \$250.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 9-0-0-0

HB 2630: motorcycle safety fund

Sponsor: Representative Bolick, LD 20
Caucus & COW

Overview

Extends, the deposit of \$1 of each motorcycle registration fee to the Motorcycle Safety Fund (Fund) until July 1, 2025.

History

Pursuant to [A.R.S § 28-2010](#), the motorcycle safety fund is established consisting of monies deposited from registration fees, monies from gifts, grants and other donations. The director of the Governor's Office of Highway Safety administers the Fund. On notice of the director the state treasure is required to invest and divest the monies in the Fund. Monies earned from the investment are credited to the Fund. 10% of the monies in the Fund may be used towards the cost of administrating the Fund. Monies in the Fund are exempt from lapsing. \$1 of each motorcycle registration fee collected must be deposited into the Fund.

The director is required to use monies deposited in the Fund to implement and support voluntary motorcycle education, awareness, training and other programs and may use the monies to cover the cost of materials for motorcycle safety, education and awareness programs. The authorization for deposits of \$1 of each motorcycle registration fee to the Fund sunsets on June 30, 2021.

Pursuant to [A.R.S § 28-2003](#), the fee for motorcycle registration is \$9.

Provisions

1. Extends, the deposit of \$1 of each motorcycle registration fee to the Motorcycle Safety Fund until July 1, 2025. (Sec. 1)
2. Makes a technical change. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DPA 8-0-0-1

HB 2687: traffic safety rules; educational information

Sponsor: Representative Shope, LD 8
Caucus & COW

Overview

Requires defensive driving school courses, traffic survival schools and the Arizona Department of Transportation (ADOT) to include move-over laws in educational material.

History

Pursuant to [A.R.S. § 28-775](#), when a police vehicle is giving a visual signal with at least one lighted red or red and blue light or lens and is giving an audible signal by siren, the driver of another vehicle:

- 1) Is prohibited from approaching or driving parallel to the police vehicle; and
- 2) Is required to maintain a distance of at least 300 feet behind any police vehicle involved in an emergency until the police vehicle moves to the lane closest to the right-hand edge or curb of the roadway.

If a person who drives a vehicle approaches a stationary vehicle and the stationary vehicle is giving a signal by displaying alternately flashing lights or is displaying warning lights, the person is required to do either of the following:

- 1) If on a highway having at least four lanes with at least two lanes proceeding in the same direction as the approaching vehicle, proceed with due caution and if possible, with due regard to safety and traffic conditions, yield the right-of-way by making a lane change into a lane not adjacent to that stationary vehicle; or
- 2) If changing lanes would be impossible or unsafe, proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions.

Defensive driving school courses and ADOT examination, information or education material may include educational information on move-over laws.

Provisions

1. Requires Defensive Driving School courses and Traffic Survival Schools to include educational information relating to move-over laws. (Sec. 1)
2. Requires ADOT to include move-over law information in any of the department's examination, information and educational material. (Sec. 1)
3. Requires ADOT to educate the public about the requirements of move-over laws through digital highway boards and public service announcements. (Sec. 1)

Amendments

Committee on Transportation

1. Removes the requirement for ADOT to inform the public on move-over laws through digital highway boards.
2. Adds a delayed effective date of January 1, 2021.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 5-4-0-0

HB 2712: disadvantaged business enterprises; audits

Sponsor: Representative Thorpe, LD 6

Caucus & COW

Overview

Allows the Arizona Office of the Auditor General (Auditor General) to conduct audits of participants in the U.S. Department of Transportation's (DOT) Disadvantaged Business Enterprise (DBE) Program.

History

Pursuant to [49 CFR Part 26.1](#), the objective of the DBE Program is to:

- 1) Ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
- 2) Create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- 3) Ensure that the Department's DBE program is narrowly tailored in accordance with applicable law;
- 4) Ensure that only firms that fully meet eligibility standards are permitted to participate as DBEs;
- 5) Help remove barriers to the participation of DBEs in DOT-assisted contracts;
- 6) Promote the use of DBEs in all types of federally-assisted contracts and procurement activities conducted by recipients;
- 7) Assist the development of firms that can compete successfully in the marketplace outside the DBE program; and
- 8) Provide appropriate flexibility to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

Laws 1969, Chapter 87 established the Auditor General as an agency of the legislature. The duties of the Auditor General include performing special research requests, special audits and related assignments and conduct performance audit, special audits, special research requests and investigations of any state agency, whether created by the constitution or otherwise, as may be requested by the Joint Legislative Audit Committee ([A.R.S. § 41-1279.03](#)).

Provisions

1. Allows the Auditor General to conduct audits of participants in the DBE Program as regulated by federal law. (Sec. 1)
2. Requires the Auditor General to submit the results of an audit that is conducted to DOT. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 9-0-0-0

HB 2714: license plate designs

Sponsor: Representative Biasiucci, LD 5
Caucus & COW

Overview

Requires license plates and special license plates to meet standardized design requirements.

History

Pursuant to [A.R.S. § 28-2351](#), the Arizona Department of Transportation (ADOT) is required to provide every owner one license plate for each vehicle registered. At the request of the owner and on payment of the prescribed fee, ADOT is required to provide one additional license plate for a vehicle for which a special plate is requested.

The license plate must display the number assigned to the vehicle and owner and the Arizona name. ADOT is required to:

- 1) Determine the color and design of the license plate;
- 2) Design the license plate and the letters and numerals on the plate to be of sufficient size to be plainly readable during daylight from a distance of 100 feet; and
- 3) Coat the license plate with a reflective material that is consistent with the color and design on the license plate or special plate.

All other plates must be the same color as and similar design to the license plate as determined by ADOT, except for outlined special plates.

Provisions

1. Requires that, beginning January 1, 2021, the letters and numerals on a license plate be in the same font color as the Arizona name. (Sec. 1)
2. Requires that, beginning January 1, 2021, each license plate and special plate display the Arizona name in the same font color, type and size as determined by ADOT. (Sec. 1)
3. Makes a conforming change. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DPA 10-0-0-0

HB 2353: bonds; counsel; financial advisor; fees

Sponsor: Representative Toma, LD 22

Caucus & Cow

Overview

Removes the requirement that specific fees for bonds issued pursuant to an election regarding school property or an election to authorize indebtedness be paid from an amount authorized by the qualified electors or current operating funds.

History

A school district governing board may, on petition of 15% of the school electors, call an election to issue a bond to be used for various purposes including changing, selling, purchasing school sites or buildings. Under current law, bond counsel fees, financial advisory fees, printing costs and paying agent and registrar fees for bonds issued pursuant to an election on school property are required to be paid from either the amount authorized by the qualified electors of the school district or current operating funds. Current law also requires bond election fees to be paid from current operating expenses only. The amount of net premium associated with a bond issue can be used to pay costs incurred in issuing the bonds (A.R.S. §§ [15-491](#) and [15-1042](#)).

The governing body or board of a political subdivision may, on a petition signed by 15% of the qualified electors, order an election to determine whether to authorize indebtedness. Under current law, bond counsel fees, financial advisory fees, printing costs and paying agent and registrar fees are required to be paid from either an amount authorized by the qualified electors of the political subdivision or current operating funds. The amount of net premium associated with a bond issue may be used to pay costs incurred in issuing the bonds (A.R.S. §§ [35-452](#) and [35-457](#)).

Provisions

1. Removes the requirement that bond counsel fees, financial advisory fees, printing costs and paying agent and registrar fees for bonds be paid from either the amount authorized by the qualified electors of a school district or current operating funds in an election regarding school property. (Sec. 1)
2. Eliminates the requirement that bond election expenses be paid from current operating funds only. (Sec. 1)
3. Removes the requirement that bond counsel fees, financial advisory fees, printing costs and paying agent and registrar fees be paid from either the amount authorized by the qualified electors of a political subdivision or current operating funds in an election to authorize indebtedness. (Sec. 3)
4. Makes technical and conforming changes. (Sec. 1-4)

Amendments

Committee on Ways and Means

1. Reinserts the requirement that specific fees for bonds issued pursuant to an election regarding school property or an election to authorize indebtedness be paid from an amount authorized by the qualified electors or current operating funds.
2. Reinserts in the requirement that bond election expenses be paid from current operating funds only.
3. Removes the requirement that financial advisory fees be paid from either the amount authorized by qualified electors of a political subdivision or current operating funds in an election to authorize indebtedness.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 6-4-0-0

HB2404: TPT; prime contracting; exemptions; certificates

Sponsor: Representative Cobb, LD 5

Caucus & COW

Overview

Limits the valid period of an exemption certificate, prescribed by the Department of Revenue (DOR) for transaction privilege taxpayers to document exempt sales, to a period of one year. Modifies the definition of alteration and modification under the prime contracting classification.

History

Current law does not require the DOR to prescribe an exemption certificate with an expiration date for transaction privilege taxpayers to use to document exempt sales. ([A.R.S. § 42-5009](#))

Statute defines *alteration* as an activity or action that causes a direct physical change to existing property with separate provisions for residential and commercial property. Also, the law allows for the original contract amount to be exceeded by no more than 25% if the work performed qualifies as an alteration. *Modification* is currently defined as construction, grading and leveling ground, wreckage or demolition. ([A.R.S. § 42-5075.R](#))

Provisions

1. Provides that an exemption certificate, from a prime contractor or a subcontractor subject to tax on under the prime contracting classification, supplied to a retailer is valid for a period of not more than one year. A new certificate may be executed. (Sec. 1)
2. States that DOR shall prescribe a form for a certificate to be used by a prime contractor that is subject to tax under the prime contracting classification for which the purchase of the tangible personal property is excluded from the retail tax base. (Sec. 2)
3. Provides that the certificate above is valid for a period of not more than one year and that a new certificate may be obtained. (Sec. 2)
4. Provides that the certificate received by a contractor from a prime contractor is valid for a period of not more than one year and that a new certificate may be executed. (Sec. 3)
5. Defines *alteration* as an activity or action that causes a direct physical change to existing property and that does not increase the square footage of the existing property. (Sec. 3)
6. Defines *modification* as construction, grading and leveling ground, wreckage, demolition or other activities or actions that increase the square footage of the existing property.
7. States that these provisions apply to contracts entered into beginning January 1, 2021. (Sec. 4)
8. Contains a fiscal note.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☒ [Fiscal Note](#)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 10-0-0-0

HB 2493: community facilities districts

Sponsor: Representative Toma, LD 22
Caucus and COW

Overview

Changes the way general obligation bond funds of a district can be utilized. Creates reconciliation provisions for district board compositions created after August 9, 2017 and before the effective date of this bill.

History

Current law dictates that a district will be governed by a board of five members, with two additional members, ex officio, who are initially designated by the owner who owns the largest amount of private land and appointed by the governing body and will provide a process for the designation of the two additional members, if applicable ([A.R.S. § 48-702](#)).

Current law states that any fees or other charges paid for the application when forming a district in excess of actual costs in the formation of such district will be used by the municipality or county for the sole purpose to support formation and administration of the district ([A.R.S. § 48-708](#)).

Current law states that the district board will prescribe denominations of bonds, maturities, interest payment dates and interest rates, fixed or variable and will not exceed the maximum rate in the notice or resolution of the board. Bonds may be sold above or below par and if bonds are sold below par then the aggregate amount of discount and interest that would have been payable on those bonds at the maximum rate set by the bond resolution ([A.R.S. § 48-722](#)).

Provisions

1. Stipulates that any fees or other charges paid by the applicant for the formation of the district that exceeds the actual costs of forming the district will be transferred from the municipality or county to the district and shall only be used to support the formation or administration of the district. (Sec. 7)
2. Limits the use of general obligation bonds that are sold above par, to the following purposes:
 - a) Pay any and all costs incurred in issuing the general obligation bonds; or
 - b) Deposit in a debt service fund for the sole purpose to pay interest on the issue of general obligation bonds. (Sec. 11)
3. States general obligation bonds that are used for anything other than this purpose, and the district has general obligation bond voter authorization and available capacity under its debt limitations, then the amount of net premium used for that purpose shall reduce, in an equal amount, the available aggregate indebtedness capacity of the district and the principal amount authorized at the general obligation bond election from which the issue of general obligation bonds is being sold. (Sec. 11)
4. States that any net premium that is used for as prescribed in this section shall be amortized for all debt limitation purposes on a pro rata basis each year by multiplying the net premium used by a percentage equal to the percentage of the total principal amount of the general obligation bond issue that matures that year. (Sec. 11)
5. States districts that are formed after August 9th, 2017 and before the effective date can be reconciled:

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input checked="" type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- a) At any time after a receipt of a petition signed by the owners of the most privately-owned land within the boundaries of the district, the district board may adopt a resolution to reconcile the board composition by permanently removing the two additional appointed district board members and their position.
 - b) On removal of the two additional district board members and their positions the district shall be governed by a board that consists of the governing body of the municipality or county. (Sec. 13)
- 6. Defines *Net Premium*. (Sec. 1)
 - 7. Contains technical changes. (Sec. 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, and 12)
 - 8. Contains conforming changes. (Sec. 1, 2, 3, 4, 5, 6, 8, and 10)
 - 9. Includes an emergency clause. (Sec. 14)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 9-0-0-1

HB 2495: state judgments; liens; homestead; enforcement

Sponsor: Representative Toma, LD 22
Caucus and COW

Overview

Allows civil judgement liens that were properly entered on or after September 13, 2013 to not apply to the 10-year limitation. Also, does the same for liens that were entered before September 13, 2013 and that were collectible under the laws applicable on that date. Allows for a civil judgement in favor of Arizona to become a lien on the real property of the debtor, including the debtor's homestead property.

History

Current statute defines when a writ of execution or other process should or should not be issued for the purpose of enforcing a judgment. States that civil judgments obtained by this state are not applicable to this section ([A.R.S. § 12-1551](#)).

Current statute defines what type of real property is exempt from having a lien applied to a judgment debtor, to include homestead property ([A.R.S. § 33-964](#)).

Provisions

1. Allows civil judgement liens that were properly entered on or after September 13, 2013 to not apply to the 10-year limitation. (Sec. 1)
2. Allows civil judgement liens that were entered before September 13, 2013 and that were collectible under the laws applicable on that date from the 10-year limitation. (Sec. 1)
3. Allows for a civil judgement in favor of Arizona to become a lien on the real property of the debtor, including the debtor's homestead property. (Sec. 2, 3)
4. Contains technical changes. (Sec. 1, 2 and 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DPA 9-1-0-0

HB 2496: agricultural property classification; guest ranches

Sponsor: Representative Dunn, LD 13

Caucus and COW

Overview

Includes land and improvements devoted to use as a guest ranch as agricultural real property. Requires the owner to record a deed restriction with the county recorder and file a copy with the county assessor that restricts the property use as a guest ranch for at least 10 years.

History

Current statute defines 12 types of structures, lands, purposes and improvements that are included in *agricultural real property* ([A.R.S. § 42-12151](#)).

Provisions

1. Adds land and improvements specifically devoted to use as a guest ranch to agricultural real property. (Sec. 1)
2. Requires an owner of a guest ranch to record a deed of restriction with the county recorder that restricts that property to a guest ranch for at least 10 years. (Sec. 2)
3. States the use of the property must remain unchanged during the 10-year period or the property will lose the agricultural real property status and the owner will be subject to a penalty equal to the amount of property taxes that would have been levied on the property for the preceding years had it not been valued as agricultural real property. (Sec. 2)
4. Defines *guest ranch* as an ongoing, commercial and for-profit organization that meets all the following conditions:
 - a) Provides recreational activities that include horseback riding, hiking, biking or a working cattle ranch experience;
 - b) Has an organized and supervised horse program on the property with a horse herd that consists of a number of horses equal to or greater than the total number of guest accommodations;
 - c) Uses at least one permanent structure with running water, sewage disposal and a kitchen.
 - d) Provides guests with three meals a day.
 - e) Includes the word *Ranch* or *Rancho* in the guest ranch's name. (Sec. 2)
5. Applies retroactively to January 1, 2020. (Sec. 3)

Amendments

Committee on Ways and Means

1. Removes the retroactivity clause.
2. States that a deed restriction must be filed by August 31 of the prior valuation year.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 6-4-0-0

HB2778: taxation; omnibus

Sponsor: Representative Toma, LD 22
Caucus & COW

Overview

Repeals the Highway Safety Fee and removes the reference of those monies being deposited into the Highway Patrol Fund. Reduces the individual income tax rate for each tax bracket and eliminates additions and subtractions from gross income. Additionally, a subtraction from gross income is created for net long-term capital gains and adjusts the charitable contribution deduction annually by the change in the Metropolitan Phoenix Consumer Price Index.

History

The Highway Safety Fee is collected with vehicle registrations and deposited into the Highway Patrol Fund. The Director of the Arizona Department of Transportation is required to annually determine the fee amount, which is currently \$32. Beginning July 1, 2021, the Director may not collect the fee. ([A.R.S. § 28-2007](#))

Current statute authorizes the individual income tax rate for each tax bracket, amounts to be added or subtracted when computing an individual's adjusted gross income or a corporation's taxable income and optional standard deductions allowed for individuals. (A.R.S. §§ [43-1011](#), [43-1021](#), [43-1022](#), [43-1121](#), [43-1122](#) and [43-1041](#))

Provisions

1. Repeals the Highway Safety Fee. (Sec. 1)
2. Removes the Highway Safety Fee from the Arizona Highway Patrol Fund. (Sec. 2)
3. Reduces the individual income tax rate for each tax bracket. (Sec. 3)
4. Removes the required addition to gross income for depreciation claimed on the federal return. (Sec. 4)
5. Conforms state statute to federal bonus depreciation for corporations. (Sec. 8)
6. Removes the depreciation adjustments from subtractions from gross income. (Sec. 5, 9)
7. Adds a subtraction from gross income of 50% of net long-term capital gains that are included in federal adjusted gross income when the asset is acquired after December 31, 2019. (Sec. 5)
8. Adjusts the allowable charitable contributions deduction amount annually according to the average annual change in the Metropolitan Phoenix Consumer Price Index. (Sec. 7)
9. Contains a retroactivity clause. (Sec. 14)
10. Contains an effective date of January 1, 2021. (Sec. 15)
11. Makes technical and conforming changes. (Sec. 3, 4, 5, 6, 8, 9, 10, 11, 12, 13)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☒ [Fiscal Note](#)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 6-4-0-0

HB2779: state equalization assistance; rate; appropriation

Sponsor: Representative Petersen, LD 12

Caucus & COW

Overview

Establishes the state equalization property tax rate for tax year 2020 is \$0.2974. Also, appropriates \$100,000,000 from the state general fund to the Department of Education for fiscal year 2021.

History

The board of supervisors in each county is required to levy the state equalization property tax each year and it is the county treasurer's responsibility to apportion the monies to school districts within the county. ([A.R.S. § 15-994](#)) The rate in tax year 2019 was \$0.4566. ([A.R.S. § 41-1276](#))

The current K-12 school finance system is based on a statutory formula enacted in 1980 and substantially modified in 1985. The established formula aims to equalize per-pupil spending among school districts, taking into account student enrollment and property values. Under the current school finance formula, school districts receive approximately the same amount of funding per pupil. Spending is also capped, preventing high-property value school districts from generating local revenues in excess of the funding formula and creating inequities. Some school districts with a very strong local property tax base are able to generate their entire formula funding entitlement. However, most school districts require revenues in the form of Basic State Aid in order to receive full funding under the statutory formula.

Provisions

1. Establishes the state equalization assistance property tax rate for tax year 2020 is \$0.2974. (Sec. 1)
2. Appropriates, in addition to any other appropriation, \$100,000,000 from the state general fund in fiscal year 2021 to the Department of Education for basic state aid. (Sec. 2)
3. Applies retroactively to July 1, 2020. (Sec. 3)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note